



**Social Services and Other Legislation
Amendment (2014 Budget Measures
No. 6) Act 2014**

No. 122, 2014

**An Act to amend the law relating to social security,
family assistance, veterans' entitlements, military
rehabilitation and compensation, farm household
support and the Social and Community Services
Pay Equity Special Account, and for related
purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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No. 122, 2014

**An Act to amend the law relating to social security,
family assistance, veterans' entitlements, military
rehabilitation and compensation, farm household
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Pay Equity Special Account, and for related
purposes**

[Assented to 26 November 2014]

The Parliament of Australia enacts:

No. 122, 2014

*Social Services and Other Legislation Amendment (2014 Budget
Measures No. 6) Act 2014*

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1 Short title

This Act may be cited as the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Act 2014*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	26 November 2014
2. Schedule 1, Parts 1 to 6	20 September 2014.	20 September 2014
3. Schedule 1, Part 7	The day this Act receives the Royal Assent.	26 November 2014
4. Schedule 2, Part 1	1 July 2015.	1 July 2015
5. Schedule 2, Part 2	1 July 2017.	1 July 2017
6. Schedule 3	The day after this Act receives the Royal Assent.	27 November 2014
7. Schedules 4 to 8	1 January 2015.	1 January 2015
8. Schedule 9	1 July 2015.	1 July 2015
9. Schedule 10	The day this Act receives the Royal Assent.	26 November 2014

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

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- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Energy supplement replacing clean energy supplement

Part 1—Energy supplement under the social security law

Social Security Act 1991

1 Subsection 17(8)

Repeal the subsection, substitute:

- (8) For the purposes of the definition of *income cut-out amount* in subsection (1), the formula is as follows:

$$2 \times \left(\begin{array}{c} \text{Maximum} \\ \text{basic rate} \end{array} + \begin{array}{c} \text{Pension} \\ \text{supplement} \\ \text{component} \end{array} + \begin{array}{c} \text{Energy} \\ \text{supplement} \\ \text{component} \end{array} \right) + \begin{array}{c} \text{Ordinary} \\ \text{free area} \\ \text{limit} \end{array}$$

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where:

energy supplement component means the energy supplement worked out under point 1064-C3 for a person who is not a member of a couple:

- (a) whether or not the person for whom the income cut-out amount is being worked out is a member of a couple; and
- (b) whether or not that point applies to the person for whom the income cut-out amount is being worked out.

maximum basic rate means the amount specified in column 3 of item 1 of the table in point 1064-B1.

ordinary free area limit means the amount specified in column 3 of item 1 of the table in point 1064-E4.

pension supplement component means the pension supplement amount worked out under point 1064-BA3 for a person who is not a member of a couple:

- (a) whether or not the person for whom the income cut-out amount is being worked out is a member of a couple; and

- (b) whether or not that point applies to the person for whom the income cut-out amount is being worked out.

2 Section 20B

Repeal the section.

3 Subsection 23(1) (paragraph (b) of the definition of *clean energy bonus*)

Omit “a clean energy supplement or a quarterly clean energy supplement”, substitute “an energy supplement or a quarterly energy supplement”.

4 Subsection 23(1) (paragraph (c) of the definition of *clean energy bonus*)

Repeal the paragraph, substitute:

- (c) an increase that is described using the phrase “energy supplement” and affects the rate of another payment that is provided for by the Act or scheme.

5 Subsection 23(1) (paragraph (b) of the definition of *clean energy payment*)

Repeal the paragraph, substitute:

- (b) quarterly energy supplement; or

6 Subsection 23(1) (definition of *clean energy pension rate*)

Repeal the definition.

7 Subsection 23(1) (definition of *clean energy supplement*)

Repeal the definition.

8 Subsection 23(1) (definition of *clean energy (under pension age) rate*)

Repeal the definition.

9 Subsection 23(1) (definition of *clean energy (youth disability) rate*)

Repeal the definition.

10 Subsection 23(1)

Insert:

energy supplement, for a person, means the addition under the energy supplement Module (if any) of the relevant Rate Calculator when working out the rate of the person's social security payment.

11 Subsection 23(1) (definition of *quarterly clean energy supplement*)

Repeal the definition.

12 Subsection 23(1)

Insert:

quarterly energy supplement means the separate social security payment described in Division 2 of Part 2.18A.

13 Subsection 44(2)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

14 Subsection 98(2)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

15 Subsection 148(2)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

16 Subsection 199(2)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

17 Subsection 316(2)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

18 Subsection 364(2)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

19 Paragraph 408CA(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

20 Paragraph 500I(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

21 Paragraph 547(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

22 Paragraph 572(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

23 Paragraph 608(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

24 Paragraph 677(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

25 Paragraph 732(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

26 Paragraph 771HC(2)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

27 Division 2 of Part 2.18A (heading)

Repeal the heading, substitute:

Division 2—Quarterly energy supplement

28 Section 915 (heading)

Repeal the heading, substitute:

915 When quarterly energy supplement is payable

29 Section 915

Omit “Quarterly clean energy supplement”, substitute “Quarterly energy supplement”.

30 Section 915 (note)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

31 Section 915A (heading)

Repeal the heading, substitute:

915A Electing to receive quarterly energy supplement

32 Paragraph 915A(1)(b)

Omit “clean energy supplement”, substitute “energy supplement”.

33 Subsection 915A(1)

Omit “person’s clean energy supplement”, substitute “person’s energy supplement”.

34 Subsection 915A(1) (note)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

35 Subsection 915A(3)

Omit “a clean energy supplement”, substitute “an energy supplement”.

36 Section 915B (heading)

Repeal the heading, substitute:

915B Rate of quarterly energy supplement

37 Subsection 915B(1)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

38 Paragraphs 915B(1)(a) and (b)

Omit “clean energy supplement”, substitute “energy supplement”.

39 Paragraph 916D(5)(c)

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

40 Subsection 1061ECA(2) (method statement, step 2, paragraph (c))

Omit “clean energy supplement”, substitute “energy supplement”.

40A Section 1061UB

Before “The person’s”, insert “(1)”.

40B Paragraph 1061UB(a)

Omit “following table”, substitute “table in this subsection”.

40C Paragraph 1061UB(c)

Omit “applying the applicable percentage in the following table to the clean energy pension rate”, substitute “working out the amount using the table in subsection (2)”.

40D Paragraph 1061UB(d)

Repeal the paragraph.

40E Paragraph 1061UB(e)

Omit “and (d)”, substitute “and (c)”.

40F Section 1061UB (note 1)

Omit “Note 1”, substitute “Note”.

40G Section 1061UB (notes 2 and 3)

Repeal the notes.

40H At the end of section 1061UB

Add:

(2) For the purposes of paragraph (1)(c), the table is:

Energy supplement component		
Item	Person's family situation	Amount
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60
5	Partnered (partner in gaol)	\$366.60

41 Point 1064-A1 (method statement, step 1B)

Omit "clean energy supplement", substitute "energy supplement".

42 Section 1064 (Module C, heading)

Repeal the heading, substitute:

Module C—Energy supplement

43 Point 1064-C1

Omit "A clean energy supplement", substitute "An energy supplement".

44 Point 1064-C1 (note)

Omit "clean energy supplement", substitute "energy supplement".

45 Point 1064-C2

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

46 Point 1064-C3

Repeal the point, substitute:

1064-C3 The person's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Person's family situation	Amount of energy supplement
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60
5	Partnered (partner in gaol)	\$366.60

47 Point 1065-A1 (method statement, step 3)

Omit "clean energy supplement", substitute "energy supplement".

48 Section 1065 (Module C, heading)

Repeal the heading, substitute:

Module C—Energy supplement

49 Point 1065-C1

Omit "A clean energy supplement", substitute "An energy supplement".

50 Point 1065-C1 (note)

Omit "clean energy supplement", substitute "energy supplement".

51 Point 1065-C2

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

52 Point 1065-C3

Repeal the point, substitute:

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

1065-C3 The person's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Person's family situation	Amount of energy supplement
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60
5	Partnered (partner in gaol)	\$366.60

53 Point 1066-A1 (method statement, step 2)

Omit "clean energy supplement", substitute "energy supplement".

54 Section 1066 (Module C, heading)

Repeal the heading, substitute:

Module C—Energy supplement

55 Point 1066-C1

Omit "A clean energy supplement", substitute "An energy supplement".

56 Point 1066-C1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

57 Point 1066-C1 (note)

Omit "clean energy supplement", substitute "energy supplement".

58 Point 1066-C2

Repeal the point, substitute:

1066-C2 The person's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Person's family situation	Amount of energy supplement
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60
5	Partnered (partner in gaol)	\$366.60

59 Point 1066A-A1 (method statement, step 1A)

Omit “clean energy supplement”, substitute “energy supplement”.

60 Section 1066A (Module BA, heading)

Repeal the heading, substitute:

Module BA—Energy supplement

61 Point 1066A-BA1

Omit “A clean energy supplement”, substitute “An energy supplement”.

62 Point 1066A-BA1

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

63 Point 1066A-BA1 (note)

Omit “clean energy supplement”, substitute “energy supplement”.

64 Points 1066A-BA2 and 1066A-BA3

Repeal the points, substitute:

1066A-BA2 The person's energy supplement is the amount worked out using the following table:

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

Energy supplement		
Item	Person's family situation for maximum basic rate	Amount of energy supplement
1	If the person's maximum basic rate is worked out under item 1 of the table in point 1066A-B1	\$153.40
2	If the person's maximum basic rate is worked out under item 2, 4, 5 or 6 of the table in point 1066A-B1	\$236.60
3	If the person's maximum basic rate is worked out under item 3 of the table in point 1066A-B1	\$171.60

65 Point 1066B-A1 (method statement, step 2A)

Omit "clean energy supplement", substitute "energy supplement".

66 Section 1066B (Module BA, heading)

Repeal the heading, substitute:

Module BA—Energy supplement

67 Point 1066B-BA1

Omit "A clean energy supplement", substitute "An energy supplement".

68 Point 1066B-BA1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

69 Point 1066B-BA1 (note)

Omit "clean energy supplement", substitute "energy supplement".

70 Points 1066B-BA2 and 1066B-BA3

Repeal the points, substitute:

1066B-BA2 The person's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Person's family situation for maximum basic rate	Amount of energy supplement
1	If the person's maximum basic rate is worked out under item 1 of the table in point 1066B-B1	\$153.40
2	If the person's maximum basic rate is worked out under item 2, 4, 5 or 6 of the table in point 1066B-B1	\$236.60
3	If the person's maximum basic rate is worked out under item 3 of the table in point 1066B-B1	\$171.60

71 Point 1067G-A1 (method statement, step 1A)

Omit "clean energy supplement", substitute "energy supplement".

72 Section 1067G (Module BA, heading)

Repeal the heading, substitute:

Module BA—Energy supplement

73 Point 1067G-BA1

Omit "A clean energy supplement", substitute "An energy supplement".

74 Point 1067G-BA1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

75 Point 1067G-BA1 (note)

Omit "clean energy supplement", substitute "energy supplement".

76 Points 1067G-BA2 to 1067G-BA6

Repeal the points, substitute:

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

General case—recipient not covered by point 1067G-B3A and youth disability supplement not added

1067G-BA2 The recipient’s energy supplement is the amount worked out using the following table if:

- (a) the recipient is not covered by point 1067G-B3A; and
- (b) an amount of youth disability supplement is not added under Module D to the recipient’s rate.

Energy supplement		
Item	Recipient’s family situation for maximum basic rate	Amount of energy supplement
1	If the recipient’s maximum basic rate is worked out under item 1 of the table in point 1067G-B2	\$3.90
2	If the recipient’s maximum basic rate is worked out under item 2 of the table in point 1067G-B2	\$4.60
3	If the recipient’s maximum basic rate is worked out under item 3 of the table in point 1067G-B2	\$7.00
4	If the recipient’s maximum basic rate is worked out under item 1 or 3 of the table in point 1067G-B3	\$3.90
5	If the recipient’s maximum basic rate is worked out under item 2 or 4 of the table in point 1067G-B3	\$4.60
6	If the recipient’s maximum basic rate is worked out under item 5 of the table in point 1067G-B3	\$7.00
7	If the recipient’s maximum basic rate is worked out under item 6 of the table in point 1067G-B3	\$9.20
8	If the recipient’s maximum basic rate is worked out under item 7 of the table in point 1067G-B3	\$7.70
9	If the recipient’s maximum basic rate is worked out under item 8 of the table in point 1067G-B3	\$7.00

Energy supplement replacing clean energy supplement **Schedule 1**
Energy supplement under the social security law **Part 1**

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
10	If the recipient's maximum basic rate is worked out under item 1 or 3 of the table in point 1067G-B4	\$5.70
11	If the recipient's maximum basic rate is worked out under item 2 or 4 of the table in point 1067G-B4	\$8.60
12	If the recipient's maximum basic rate is worked out under item 5 of the table in point 1067G-B4	\$7.70

Recipient covered by point 1067G-B3A

1067G-BA3 If the recipient is covered by point 1067G-B3A, the recipient's energy supplement is \$12.00.

Youth disability supplement added to the recipient's rate

1067G-BA4 If an amount of youth disability supplement is added under Module D to the recipient's rate, the recipient's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
1	If the recipient's maximum basic rate is worked out under item 1 of the table in point 1067G-B2	\$5.90
2	If the recipient's maximum basic rate is worked out under item 2 of the table in point 1067G-B2	\$6.60
3	If the recipient's maximum basic rate is worked out under item 3 of the table in point 1067G-B2	\$8.50
4	If the recipient's maximum basic rate is worked out under item 1 or 3 of the table in point 1067G-B3	\$5.90

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
5	If the recipient's maximum basic rate is worked out under item 2 or 4 of the table in point 1067G-B3	\$6.60
6	If the recipient is a member of a couple and the recipient's maximum basic rate is worked out under item 5 or 8 of the table in point 1067G-B3	\$7.70
6A	If the recipient is not a member of a couple and the recipient's maximum basic rate is worked out under item 5 or 8 of the table in point 1067G-B3	\$8.50
7	If the recipient's maximum basic rate is worked out under item 6 of the table in point 1067G-B3	\$9.20
8	If the recipient's maximum basic rate is worked out under item 7 of the table in point 1067G-B3	\$7.70

77 Point 1067L-A1 (method statement, step 1B)

Omit "clean energy supplement", substitute "energy supplement".

78 Section 1067L (Module BB, heading)

Repeat the heading, substitute:

Module BB—Energy supplement

79 Point 1067L-BB1

Omit "A clean energy supplement", substitute "An energy supplement".

80 Point 1067L-BB1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

81 Point 1067L-BB1 (note)

Omit "clean energy supplement", substitute "energy supplement".

82 Points 1067L-BB2 to 1067L-BB4

Repeal the points, substitute:

Recipient has reached pension age

1067L-BB2 If the recipient has reached pension age, the recipient's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Recipient's family situation	Amount of energy supplement
1	Not a member of a couple	\$14.10
2	Partnered	\$10.60
3	Member of an illness separated couple	\$14.10
4	Member of a respite care couple	\$14.10
5	Partnered (partner in gaol)	\$14.10

Recipient has not reached pension age

1067L-BB3 If the recipient has not reached pension age, the recipient's energy supplement is worked out using the following table:

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
1	If the recipient's maximum basic rate is worked out under item 1 of the table in subpoint 1067L-B2(1)	\$7.00
2	If the recipient's maximum basic rate is worked out under item 2 of the table in subpoint 1067L-B2(1)	\$7.70
3	If the recipient's maximum basic rate is worked out under item 3 of the table in subpoint 1067L-B2(1)	\$9.20
4	If the recipient's maximum basic rate is worked out under item 1 of the table in point 1067L-B3	\$7.70

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
5	If the recipient's maximum basic rate is worked out under item 2 of the table in point 1067L-B3	\$8.60

83 Point 1068-A1 (method statement, step 1B)

Omit "clean energy supplement", substitute "energy supplement".

84 Point 1068-A1 (method statement, step 2)

Omit "per year", substitute "per fortnight".

85 Section 1068 (Module C, heading)

Repeal the heading, substitute:

Module C—Energy supplement

86 Point 1068-C1

Omit "A clean energy supplement", substitute "An energy supplement".

87 Point 1068-C1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

88 Point 1068-C1 (note)

Omit "clean energy supplement", substitute "energy supplement".

89 Points 1068-C2 to 1068-C5

Repeal the points, substitute:

Recipient has reached pension age

1068-C2 If the recipient has reached pension age and is not covered by point 1068-B5, the recipient's energy supplement is the amount worked out using the following table:

Energy supplement replacing clean energy supplement **Schedule 1**
Energy supplement under the social security law **Part 1**

Energy supplement		
Item	Recipient's family situation	Amount of energy supplement
1	Not a member of a couple	\$14.10
2	Partnered	\$10.60
3	Member of an illness separated couple	\$14.10
4	Member of a respite care couple	\$14.10
5	Partnered (partner in gaol)	\$14.10

Recipient has not reached pension age

1068-C3 If the recipient has not reached pension age and is not covered by point 1068-B5, the recipient's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
1	If the recipient's maximum basic rate is worked out under column 3A of item 3, 4, 4A, 4B, 5, 9 or 11 of the table in point 1068-B1	\$9.50
2	If the recipient's maximum basic rate is worked out under column 3A of item 7 of the table in point 1068-B1	\$7.90
3	If the recipient's maximum basic rate is worked out under column 3B of item 3, 4, 4A or 4B of the table in point 1068-B1	\$8.80
4	If the recipient's maximum basic rate is worked out under column 3B of item 5, 9 or 11 of the table in point 1068-B1	\$9.50
5	If the recipient's maximum basic rate is worked out under column 3B of item 7 of the table in point 1068-B1	\$7.90

Recipient covered by point 1068-B5

1068-C4 If the recipient is covered by point 1068-B5, the recipient's energy supplement is \$12.00.

90 Point 1068A-A1 (method statement, step 1B)

Omit "clean energy supplement", substitute "energy supplement".

91 Section 1068A (Module BB, heading)

Repeal the heading, substitute:

Module BB—Energy supplement

92 Point 1068A-BB1

Omit "A clean energy supplement", substitute "An energy supplement".

93 Point 1068A-BB1

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

94 Point 1068A-BB1 (note)

Omit "clean energy supplement", substitute "energy supplement".

95 Points 1068A-BB2 to 1068A-BB4

Repeal the points, substitute:

Recipient has reached pension age

1068A-BB2 If the recipient has reached pension age, the recipient's energy supplement is \$366.60.

Recipient has not reached pension age

1068A-BB3 If the recipient has not reached pension age, the recipient's energy supplement is \$312.00.

96 Point 1068B-A2 (method statement, step 2B)

Omit "clean energy supplement", substitute "energy supplement".

97 Point 1068B-A3 (method statement, step 2B)

Omit “clean energy supplement”, substitute “energy supplement”.

98 Section 1068B (Module DB, heading)

Repeal the heading, substitute:

Module DB—Energy supplement

99 Point 1068B-DB1

Omit “A clean energy supplement”, substitute “An energy supplement”.

100 Point 1068B-DB1

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

101 Point 1068B-DB1 (note)

Omit “clean energy supplement”, substitute “energy supplement”.

102 Points 1068B-DB2 to 1068B-DB4

Repeal the points, substitute:

Recipient has reached pension age

1068B-DB2 If the recipient has reached pension age, the recipient’s energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Recipient’s family situation	Amount of energy supplement
1	Partnered	\$10.60
2	Member of an illness separated couple	\$14.10
3	Member of a respite care couple	\$14.10
4	Partnered (partner in gaol)	\$14.10

Schedule 1 Energy supplement replacing clean energy supplement
Part 1 Energy supplement under the social security law

Recipient has not reached pension age

1068B-DB3 If the recipient has not reached pension age, the recipient's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Recipient's family situation for maximum basic rate	Amount of energy supplement
1	If the recipient's maximum basic rate is worked out under item 1 of the table in point 1068B-C2	\$7.90
2	If the recipient's maximum basic rate is worked out under item 2, 3 or 4 of the table in point 1068B-C2	\$9.50

103 Section 1190 (table items 1AD to 1AI)

Repeal the items.

104 Section 1190 (note 1)

Omit "Note 1", substitute "Note".

105 Section 1190 (note 2)

Repeal the note.

106 Subsection 1191(1) (table items 1D to 1J)

Repeal the items.

107 Subsections 1192(3D) and (3E)

Repeal the subsections.

108 Subparagraph 1210(1)(a)(ia)

Omit "clean energy supplement", substitute "energy supplement".

109 Subparagraph 1210(1)(a)(ia)

Omit "*CE Module*", substitute "*ES Module*".

110 Subsection 1210(1) (table item 4A)

Omit “CE Module”, substitute “ES Module”.

111 Subsection 1210(1) (note 1)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

112 Paragraphs 1210(2A)(a) and (b)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

113 Subparagraph 1210(2A)(b)(i)

Omit “CE Module”, substitute “ES Module”.

114 Paragraphs 1210(3A)(a) and (b)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

115 Subparagraph 1210(3A)(b)(i)

Omit “CE Module”, substitute “ES Module”.

116 Subsection 1210(3A)

Omit “person’s quarterly clean energy supplement”, substitute “person’s quarterly energy supplement”.

117 Subsection 1210(3A)

Omit “person’s clean energy supplement”, substitute “person’s energy supplement”.

118 Subsection 1210(3A)

Omit “were quarterly clean energy supplement”, substitute “were quarterly energy supplement”.

119 Subsection 1210(4) (table, heading to column headed “CE Module”)

Repeal the heading, substitute:

ES Module

120 Subparagraph 146(4)(a)(ia) of Schedule 1A

Omit “clean energy supplement”, substitute “energy supplement”.

121 Subclause 149(5) of Schedule 1A (heading)

Repeal the heading, substitute:

Energy supplement

122 Paragraphs 149(5)(a) and (b) of Schedule 1A

Omit “clean energy supplement”, substitute “energy supplement”.

123 Subclause 149(5) of Schedule 1A (notes 1 and 2)

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

Social Security (Administration) Act 1999

124 Section 12DB (heading)

Repeal the heading, substitute:

12DB Quarterly energy supplement

125 Section 12DB

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

126 Subparagraph 43(5AA)(a)(ii)

Omit “clean energy supplement”, substitute “energy supplement”.

127 Paragraph 43(5AB)(b)

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

128 Subsection 43(5B) (heading)

Repeal the heading, substitute:

No reduction of portion of quarterly energy supplement relating to a day

129 Paragraphs 43(5B)(a), (b) and (c)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

130 Section 48D (heading)

Repeal the heading, substitute:

48D Payment of quarterly energy supplement

131 Subsection 48D(1)

Omit “Quarterly clean energy supplement”, substitute “Quarterly energy supplement”.

132 Subsection 48D(2)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

133 Subsection 48D(2) (note)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

134 Paragraph 48D(3)(a)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

135 Subsection 48D(4) (paragraph (a) of the definition of *instalment period*)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

136 Subsection 48D(4) (note at the end of paragraph (a) of the definition of *instalment period*)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

137 Section 123TC (paragraphs (d) and (e) of the definition of clean energy income-managed payment)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

138 Application and transitional provisions

- (1) The amendments made by items 28, 29, 36, 37, 38 and 114 to 118 apply for the purposes of working out the payment of quarterly energy supplement for days on or after the commencement of those items.
- (2) Despite the amendments made by items 28, 29, 36, 37, 38 and 114 to 118, sections 915 and 915B and subsection 1210(3A) of the *Social Security Act 1991*, as in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out the payment of quarterly clean energy supplement for days occurring before that commencement.
- (3) Despite the amendment made by item 39, paragraph 916D(5)(c) of the *Social Security Act 1991*, as in force immediately before the commencement of that item, continues to apply on and after that commencement in relation to a day occurring before that commencement.
- (4) Despite the amendment made by item 40, paragraph (c) of step 2 of the method statement in subsection 1061ECA(2) of the *Social Security Act 1991*, as in force immediately before the commencement of that item, continues to apply on and after that commencement in relation to a payday occurring before that commencement.
- (4A) The amendments made by items 40A to 40H apply for the purposes of working out the amount of seniors supplement for days on or after the commencement of those items.
- (5) The amendments made by items 41 to 83 and 85 to 102 apply for the purposes of working out the amount of energy supplement for days on or after the commencement of those items.
- (6) Despite the amendments made by items 41 to 83 and 85 to 102, the provisions of the *Social Security Act 1991* amended by those items, as those provisions are in force immediately before the commencement of those items, continue to apply on and after that commencement for the

purposes of working out the amount of clean energy supplement for days occurring before that commencement.

- (7) The amendments made by items 108 to 113 apply for the purposes of working out the rate of a person's social security payment for days on or after the commencement of those items.
- (8) Despite the amendments made by items 108 to 113, subsections 1210(1) and (2A) of the *Social Security Act 1991*, as in force immediately before the commencement of those items, continue to apply on and after that commencement in relation to days occurring before that commencement.
- (9) The amendments made by items 120 to 123 apply for the purposes of working out the rate of a social security pension for days on or after the commencement of those items.
- (10) An election referred to in subsection 915A(1) of the *Social Security Act 1991* that was in force immediately before the commencement of this item has effect on and after that commencement as if it were an election to receive the person's energy supplement under Division 2 of Part 2.18A of that Act as a separate social security payment.
- (11) In working out the amount of an instalment referred to in subsection 48D(2) of the *Social Security (Administration) Act 1999* in respect of the period including the day of commencement of this item, subsection 48D(3) of that Act, as in force immediately before that commencement, continues to apply on and after that commencement in relation to days in that period occurring before that commencement.
- (12) Despite the amendment made by item 137, Subdivision DE of Division 5 of Part 3B of the *Social Security (Administration) Act 1999*, as in force immediately before the commencement of that item, continues to apply on and after that commencement in relation to quarterly clean energy supplement under the *Social Security Act 1991*, or quarterly clean energy supplement under the *Veterans' Entitlements Act 1986* for service pension, that was payable before that commencement.

Part 2—Energy supplement under the family assistance law

A New Tax System (Family Assistance) Act 1999

139 Paragraph 58(2)(b)

Omit “clean energy supplement”, substitute “energy supplement”.

140 Subsection 58(2B)

Repeal the subsection, substitute:

(2B) An approved care organisation’s energy supplement for an individual is \$25.55.

141 Section 58A (heading)

Repeal the heading, substitute:

58A Election to receive energy supplements quarterly

142 Subsection 58A(1) (note 1)

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

143 Subsection 58A(5) (note)

Repeal the note.

144 Clause 3 of Schedule 1 (method statement, step 1, paragraph (cb))

Omit “clean energy supplement”, substitute “energy supplement”.

145 Clause 24G of Schedule 1 (method statement, step 1A)

Omit “*above base clean energy supplement amount*”, substitute “*above base energy supplement amount*”.

146 Clause 24HA of Schedule 1 (heading)

Repeal the heading, substitute:

24HA How to work out an individual's above base energy supplement amount

147 Clause 24HA of Schedule 1

Omit “*above base clean energy supplement amount*”, substitute “*above base energy supplement amount*”.

148 Paragraphs 24HA(a) and (b) of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

149 Clause 24L of Schedule 1 (formula)

Repeal the formula, substitute:

$$\left[2 \times \left(\begin{array}{l} \text{Above base} \\ \text{standard} \\ \text{amount for} \\ \text{the income} \end{array} + \begin{array}{l} \text{Above base} \\ \text{energy} \\ \text{supplement} \\ \text{amount for} \\ \text{the income} \end{array} + \begin{array}{l} \text{RA} \\ \text{amount} \\ \text{for the} \\ \text{income} \end{array} \right) \right] + \text{MIFA amount} \\ \text{for the income}$$

150 Clause 24N of Schedule 1 (method statement, step 4A)

Omit “*clean energy supplement amount*”, substitute “*energy supplement amount*”.

151 Clause 24RA of Schedule 1 (heading)

Repeal the heading, substitute:

24RA How to work out an individual's energy supplement amount

152 Clause 24RA of Schedule 1

Omit “*clean energy supplement amount*”, substitute “*energy supplement amount*”.

153 Clause 24RA of Schedule 1

Omit “clean energy supplement (Part A)”, substitute “energy supplement (Part A)”.

154 Clause 25 of Schedule 1 (method statement, step 1, paragraph (e))

Omit “clean energy supplement”, substitute “energy supplement”.

155 Paragraph 29(1)(c) of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

156 Subclause 29(2) of Schedule 1 (method statement, step 1, paragraph (c))

Omit “clean energy supplement”, substitute “energy supplement”.

157 Paragraph 29A(2)(c) of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

158 Division 2B of Part 4 of Schedule 1 (heading)

Repeal the heading, substitute:

Division 2B—Energy supplement (Part B)

159 Clause 31B of Schedule 1 (heading)

Repeal the heading, substitute:

31B Energy supplement (Part B)

160 Subclauses 31B(1) and (2) of Schedule 1

Repeal the subclauses, substitute:

- (1) Subject to clause 31C, the amount of the energy supplement (Part B) to be added in working out an individual’s Part B rate under clause 29 or 29A is worked out using the following table.

Energy supplement (Part B)		
Item	Individual’s family situation	Amount of energy supplement (Part B)
1	Youngest FTB child is under 5 years of age	\$73.00
2	Youngest FTB child is 5 years of	\$51.10

Energy supplement (Part B)

Item	Individual's family situation	Amount of energy supplement (Part B)
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age or over

161 Subclauses 31C(1) and (2) of Schedule 1

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

162 Division 2AA of Part 5 of Schedule 1 (heading)

Repeal the heading, substitute:

Division 2AA—Energy supplement (Part A)

163 Subdivision A of Division 2AA of Part 5 of Schedule 1 (heading)

Repeal the heading, substitute:

Subdivision A—Energy supplement (Part A—Method 1)

164 Clause 38AA of Schedule 1 (heading)

Repeal the heading, substitute:

38AA Energy supplement (Part A—Method 1)

165 Subclauses 38AA(1) and (2) of Schedule 1

Repeal the subclauses, substitute:

- (1) The amount of the energy supplement (Part A) to be added in working out an individual's maximum rate under clause 3 is worked out using the following table. Subject to clauses 38AB to 38AE, work out the FTB energy child amount for each FTB child of the individual. The energy supplement (Part A) is the sum of the FTB energy child amounts.

Schedule 1 Energy supplement replacing clean energy supplement
Part 2 Energy supplement under the family assistance law

Energy supplement (Part A—Method 1)		
Item	Category of FTB child	FTB energy child amount
1	FTB child who is under 13 years of age	\$91.25
2	FTB child who has reached 13 years of age	\$116.80

166 Clause 38AB of Schedule 1 (heading)

Repeal the heading, substitute:

38AB Base FTB energy child amount

167 Clause 38AB of Schedule 1

Omit “*base FTB clean energy child amount*”, substitute “*base FTB energy child amount*”.

168 Clause 38AB of Schedule 1

Omit “FTB clean energy child amount under”, substitute “FTB energy child amount under”.

169 Clause 38AB of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

170 Clause 38AC of Schedule 1 (heading)

Repeal the heading, substitute:

38AC FTB energy child amount—recipient of other periodic payments

171 Clause 38AC of Schedule 1

Omit “FTB clean energy child amount for an FTB child of an individual is the base FTB clean energy child amount”, substitute “FTB energy child amount for an FTB child of an individual is the base FTB energy child amount”.

172 Subclause 38AD(1) of Schedule 1

Omit “FTB clean energy child amount for an FTB child of an individual is the base FTB clean energy child amount”, substitute “FTB energy child amount for an FTB child of an individual is the base FTB energy child amount”.

173 Clause 38AE of Schedule 1

Omit “FTB clean energy child amount for”, substitute “FTB energy child amount for”.

174 Clause 38AE of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

175 Clause 38AE of Schedule 1

Omit “FTB clean energy child amount that”, substitute “FTB energy child amount that”.

176 Subdivision B of Division 2AA of Part 5 of Schedule 1 (heading)

Repeal the heading, substitute:

Subdivision B—Energy supplement (Part A—Method 2)

177 Clause 38AF of Schedule 1 (heading)

Repeal the heading, substitute:

38AF Energy supplement (Part A—Method 2)

178 Subclause 38AF(1) of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

179 Subclause 38AF(1) of Schedule 1

Omit “FTB clean energy child amounts”, substitute “FTB energy child amounts”.

180 Subclause 38AF(2) of Schedule 1

Repeal the subclause, substitute:

(2) For the purposes of subclause (1), the *FTB energy child amount*, for an FTB child of the individual, is \$36.50.

181 Clause 38AG of Schedule 1

Omit “FTB clean energy child amount for”, substitute “FTB energy child amount for”.

182 Clause 38AG of Schedule 1

Omit “clean energy supplement”, substitute “energy supplement”.

183 Clause 38AG of Schedule 1

Omit “FTB clean energy child amount that”, substitute “FTB energy child amount that”.

184 Paragraph 7(j) of Schedule 3

Omit “clean energy supplement”, substitute “energy supplement”.

185 Clause 2 of Schedule 4 (table items 8B, 9B and 10A)

Repeal the items.

186 Subclause 3(1) of Schedule 4 (table items 8B, 9B and 10A)

Repeal the items.

187 Subclause 4(3) of Schedule 4

Repeal the subclause.

188 Clause 7 of Schedule 4

Repeal the clause.

***A New Tax System (Family Assistance) (Administration) Act
1999***

189 Subsection 32A(3)

Repeal the subsection, substitute:

(3) Subsection (2) does not apply for the purposes of working out the amount of a clean energy advance.

190 Section 105B (heading)

Repeal the heading, substitute:

105B Review of instalment determination—taking account of energy supplements

191 Subsection 105B(2A) (note)

Omit “clean energy supplement” (wherever occurring), substitute “energy supplement”.

192 Subsection 105B(3) (note)

Repeal the note.

193 Application and transitional provisions

- (1) The amendments made by items 139 and 140 apply for the purposes of working out an approved care organisation’s energy supplement for days on or after the commencement of those items.
- (2) Despite the amendments made by items 139 and 140, paragraph 58(2)(b) and subsection 58(2B) of the *A New Tax System (Family Assistance) Act 1999*, as in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out an approved care organisation’s clean energy supplement for days occurring before that commencement.
- (3) The amendments made by items 144 and 154 to 183 apply for the purposes of working out the amount of an individual’s energy supplement (Part A) or energy supplement (Part B) for days on or after the commencement of those items.
- (4) Despite the amendments made by items 144 and 154 to 183, the provisions of the *A New Tax System (Family Assistance) Act 1999* amended by those items, as those provisions are in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out an individual’s clean energy supplement (Part A) or clean energy supplement (Part B) for days occurring before that commencement.

Schedule 1 Energy supplement replacing clean energy supplement
Part 2 Energy supplement under the family assistance law

- (5) The amendments made by items 145 to 153 apply for the purposes of working out an individual's maintenance income ceiling for days on or after the commencement of those items.
- (6) The amendment made by item 184 applies in relation to a payment made on or after the commencement of that item.
- (7) An election referred to in subsection 58A(1) of the *A New Tax System (Family Assistance) Act 1999* that was in force immediately before the commencement of this item continues in force on and after that commencement.

Part 3—Energy supplement under the Veterans' Entitlements Act

Veterans' Entitlements Act 1986

194 Section 5 (index of definitions)

Omit:

CES 22(3) rate	5GB(1)
CES 22(4) rate	5GB(2)
CES 23(4) rate	5GB(3)
CES 24(4) rate	5GB(4)
CES 30(1) rate	5GB(5)

195 Section 5 (index of definitions)

Omit:

clean energy pension rate	5GB(6)
clean energy supplement	5Q(1)

196 Section 5 (index of definitions)

Omit:

quarterly clean energy supplement	5Q(1)
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197 Section 5GB

Repeal the section.

198 Subsection 5Q(1) (paragraph (b) of the definition of *clean energy bonus*)

Omit “a clean energy supplement or a quarterly clean energy supplement”, substitute “an energy supplement or a quarterly energy supplement”.

199 Subsection 5Q(1) (paragraph (c) of the definition of *clean energy bonus*)

Repeal the paragraph, substitute:

- (c) an increase that is described using the phrase “energy supplement” and affects the rate of another payment that is provided for by the Act or scheme.

200 Subsection 5Q(1) (paragraph (b) of the definition of *clean energy payment*)

Repeal the paragraph, substitute:

- (b) any of the following:
 - (i) energy supplement under section 62A (for pension under Part II or IV at a rate determined under or by reference to Division 4 of Part II);
 - (ii) energy supplement under section 62B (for pension under Part II or IV at a rate determined under or by reference to subsection 30(1));
 - (iii) quarterly energy supplement for service pension; or

201 Subsection 5Q(1) (definition of *clean energy supplement*)

Repeal the definition.

202 Subsection 5Q(1)

Insert:

energy supplement means:

- (a) energy supplement payable under section 62A (for pension under Part II or IV at a rate determined under or by reference to Division 4 of Part II); or
- (b) energy supplement payable under section 62B (for pension under Part II or IV at a rate determined under or by reference to subsection 30(1)); or
- (c) energy supplement added to a person's maximum basic rate of service pension under the Rate Calculator.

203 Subsection 5Q(1) (definition of *quarterly clean energy supplement*)

Repeal the definition.

204 Subsection 5Q(1)

Insert:

quarterly energy supplement for service pension means the separate payment described in section 62E.

205 Subparagraphs 58A(6)(a)(ii) and (c)(ii)

Omit “clean energy supplement”, substitute “energy supplement”.

206 Section 59A (table item 2C)

Repeal the item.

207 Subsection 59B(1) (table item 2)

Repeal the item.

208 Subsection 59C(2AC)

Repeal the subsection.

209 Paragraph 59Q(7)(b) (definition of *point SCH6-BB3 amount*)

Omit “clean energy supplement”, substitute “energy supplement”.

210 Division 2 of Part III E (heading)

Repeal the heading, substitute:

Division 2—Energy supplements

211 Subdivision A of Division 2 of Part III E (heading)

Repeal the heading, substitute:

Subdivision A—Energy supplements for pensions under Parts II and IV

212 Section 62A (heading)

Repeal the heading, substitute:

62A Energy supplement for disability pension

213 Subsection 62A(2) (heading)

Repeal the heading, substitute:

Energy supplement payable

214 Subsection 62A(2)

Omit "clean energy supplement", substitute "energy supplement".

215 Subsection 62A(2) (note 2)

Omit "clean energy supplement", substitute "energy supplement".

216 Subsection 62A(3)

Repeal the subsection, substitute:

Rate of energy supplement

- (3) The fortnightly rate of energy supplement for the pension is the rate worked out using the table. For this purpose, ignore subsections 23(5) and (6), sections 25A and 26, Division 5A of Part II and section 74 in working out the rate of the person's pension under section 27 if that section is relevant.

Fortnightly rate of energy supplement		
Item	If the rate of the person's pension:	the rate of energy supplement is:
1	Is worked out under or by reference to subsection 22(3) but not section 27	\$7.70
2	Is worked out under or by reference to subsection 22(4) but not section 27	\$11.80
3	Is worked out under or by reference to subsection 23(4) but not section 27	\$14.50
4	Is worked out under or by reference to subsection 24(4) but not section 27	\$21.50
5	Is worked out under or by reference to section 27 and is not more than the rate specified in subsection 22(3)	\$7.70
6	Is worked out under or by reference to section 27 and is: (a) more than the rate specified in subsection 22(3); and (b) not more than the rate specified in	\$11.80

Fortnightly rate of energy supplement		
Item	If the rate of the person's pension:	the rate of energy supplement is:
	subsection 22(4)	
7	Is worked out under or by reference to section 27 and is: (a) more than the rate specified in subsection 22(4); and (b) not more than the rate specified in subsection 23(4)	\$14.50
8	Is worked out under or by reference to section 27 and is more than the rate specified in subsection 23(4)	\$21.50

217 Section 62B (heading)

Repeal the heading, substitute:

62B Energy supplement for war widow/war widower pension

218 Subsection 62B(2) (heading)

Repeal the heading, substitute:

Energy supplement payable

219 Subsection 62B(2)

Omit "clean energy supplement", substitute "energy supplement".

220 Subsection 62B(2) (note 2)

Omit "clean energy supplement", substitute "energy supplement".

221 Subsection 62B(3)

Repeal the subsection, substitute:

Rate of energy supplement

- (3) The fortnightly rate of energy supplement for the pension is \$14.20.

222 Section 62D (heading)

Repeal the heading, substitute:

62D Electing for quarterly payment of energy supplement for pension under Part II or IV

223 Paragraphs 62D(1)(a) and (b)

Omit "clean energy supplement", substitute "energy supplement".

224 Subsection 62D(1) (note 2)

Omit "clean energy supplement", substitute "energy supplement".

225 Subsections 62D(3) and (4)

Omit "clean energy supplement" (wherever occurring), substitute "energy supplement".

226 Subdivision B of Division 2 of Part III E (heading)

Repeal the heading, substitute:

Subdivision B—Quarterly energy supplement for service pension

227 Section 62E (heading)

Repeal the heading, substitute:

62E Quarterly energy supplement for service pension

228 Subsection 62E(1)

Omit "Quarterly clean energy supplement", substitute "Quarterly energy supplement".

229 Subsection 62E(1) (note)

Omit "quarterly clean energy supplement", substitute "quarterly energy supplement".

230 Subsections 62E(2), (3) and (4)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

231 Subsection 62E(4)

Omit “person’s clean energy supplement”, substitute “person’s energy supplement”.

232 Subsection 62E(4A) (paragraph (a) of the definition of *instalment period*)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

233 Paragraph 62E(6)(b)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

234 Section 64A

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

235 Subsection 64C(3)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

236 Subsections 64D(1) and (2)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

236A Subparagraph 118PB(1)(a)(i)

Omit “following table”, substitute “table in this subsection”.

236B Paragraph 118PB(1)(b)

Repeal the paragraph, substitute:

- (b) if subsection (2) applies to the person on the day—the amount worked out using the table in subsection (1A).

236C Subsection 118PB(1) (notes 2 and 4)

Repeal the notes.

236D After subsection 118PB(1)

Insert:

(1A) For the purposes of paragraph (1)(b), the table is:

Energy supplement component		
Item	Person's family situation	Amount
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60

236E Subsection 118PB(2) (heading)

Repeal the heading, substitute:

Residence test

237 Subsection 121(6B) (heading)

Repeal the heading, substitute:

Special rules for energy supplement payable under section 62A or 62B

238 Subsection 121(6B)

Omit "For clean energy supplement", substitute "For energy supplement".

239 Paragraph 121(6B)(a)

Omit "quarterly payment of clean energy supplement", substitute "quarterly payment of energy supplement".

240 Paragraph 121(6B)(b)

Omit "clean energy supplement", substitute "energy supplement".

241 Subsection 121(7) (definition of *pension*)

Omit "clean energy supplement", substitute "energy supplement".

242 Section 198 (heading)

Repeal the heading, substitute:

198 Variation of rates of certain pensions

243 Subsections 198(9), (9A) and (11)

Repeal the subsections.

244 Subparagraph 30(4)(a)(ia) of Schedule 5

Omit "clean energy supplement", substitute "energy supplement".

245 Subclause 30(4) of Schedule 5 (note 7)

Omit "clean energy supplement", substitute "energy supplement".

246 Subclause 34(5) of Schedule 5 (heading)

Repeal the heading, substitute:

Energy supplement

247 Subclause 34(5) of Schedule 5

Omit "clean energy supplement", substitute "energy supplement".

248 Subclause 34(5) of Schedule 5 (notes 1 and 2)

Omit "clean energy supplement" (wherever occurring), substitute "energy supplement".

249 Subclause 1(1) of Schedule 6 (note 1)

Omit "clean energy supplement", substitute "energy supplement".

250 Subclause 4(5) of Schedule 6 (heading)

Repeal the heading, substitute:

Quarterly energy supplement for service pension

251 Subclause 4(5) of Schedule 6

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

252 Subclause 4(5) of Schedule 6

Omit “person’s clean energy supplement”, substitute “person’s energy supplement”.

253 Subpoint SCH6-A1(2) of Schedule 6 (method statement, step 1B)

Omit “clean energy supplement”, substitute “energy supplement”.

254 Subpoint SCH6-A1(3) of Schedule 6 (method statement, step 2B)

Omit “clean energy supplement”, substitute “energy supplement”.

255 Part 2 of Schedule 6 (Module BB, heading)

Repeal the heading, substitute:

Module BB—Energy supplement

256 Point SCH6-BB1 of Schedule 6 (heading)

Repeal the heading, substitute:

When energy supplement is to be added

257 Point SCH6-BB1 of Schedule 6

Omit “A clean energy supplement”, substitute “An energy supplement”.

258 Point SCH6-BB1 of Schedule 6 (note)

Omit “clean energy supplement”, substitute “energy supplement”.

259 Point SCH6-BB2 of Schedule 6

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

260 Point SCH6-BB3 of Schedule 6

Repeal the point, substitute:

Amount of energy supplement

SCH6-BB3 The person's energy supplement is the amount worked out using the following table:

Energy supplement		
Item	Person's family situation	Amount of energy supplement
1	Not a member of a couple	\$366.60
2	Partnered	\$275.60
3	Member of an illness separated couple	\$366.60
4	Member of a respite care couple	\$366.60

Note: For *member of a couple*, *partnered*, *illness separated couple* and *respite care couple* see subsections 5E(1) and (5) and 5R(5) and (6) respectively.

261 Application and transitional provisions

- (1) The amendments made by items 214, 216, 219 and 221 apply for the purposes of working out the payment of energy supplement for days on or after the commencement of those items.
- (2) Despite the amendments made by items 214, 216, 219 and 221, sections 62A and 62B of the *Veterans' Entitlements Act 1986*, as in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out the payment of clean energy supplement for days occurring before that commencement.
- (2A) The amendments made by items 236A to 236E apply for the purposes of working out the amount of seniors supplement for days on or after the commencement of those items.
- (3) The amendments made by items 244 to 248 apply in relation to working out the rate of service pension or income support supplement for days on or after the commencement of those items.

Schedule 1 Energy supplement replacing clean energy supplement
Part 3 Energy supplement under the Veterans' Entitlements Act

- (4) The amendments made by items 253 to 260 apply for the purposes of working out the amount of energy supplement for days on or after the commencement of those items.
- (5) Despite the amendments made by items 253 to 260, subpoints SCH6-A1(2) and SCH6-A1(3) of Schedule 6 to the *Veterans' Entitlements Act 1986*, and Module BB of the Rate Calculator in that Schedule, as in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out the amount of clean energy supplement for days occurring before that commencement.
- (6) An election referred to in subsection 62D(1) of the *Veterans' Entitlements Act 1986* that was in force immediately before the commencement of this item has effect on and after that commencement as if it were an election to be paid quarterly instalments of the person's energy supplement under section 62A or 62B of that Act (as the case may be).
- (7) In working out the amount of an instalment referred to in subsection 62D(3) of the *Veterans' Entitlements Act 1986* in respect of the period including the day of commencement of this item, subsection 62D(4) of that Act, as in force immediately before that commencement, continues to apply on and after that commencement in relation to days in that period occurring before that commencement.
- (8) In working out the amount of an instalment referred to in subsection 62E(2) of the *Veterans' Entitlements Act 1986* in respect of the period including the day of commencement of this item, subsections 62E(3) to (6) of that Act, and subclause 4(5) of Schedule 6 to that Act, as in force immediately before that commencement, continue to apply on and after that commencement in relation to days in that period occurring before that commencement.

Part 4—Energy supplement under the Military Rehabilitation and Compensation Act

Military Rehabilitation and Compensation Act 2004

262 Subsection 5(1) (paragraph (b) of the definition of *clean energy bonus*)

Omit “a clean energy supplement or a quarterly clean energy supplement”, substitute “an energy supplement or a quarterly energy supplement”.

263 Subsection 5(1) (paragraph (c) of the definition of *clean energy bonus*)

Repeal the paragraph, substitute:

- (c) an increase that is described using the phrase “energy supplement” and affects the rate of another payment that is provided for by the Act or scheme.

264 Subsection 5(1) (definition of *clean energy payment*)

Omit “clean energy supplement”, substitute “energy supplement”.

265 Subsection 5(1) (definition of *clean energy supplement*)

Repeal the definition.

266 Subsection 5(1)

Insert:

energy supplement means energy supplement payable under section 83A, 209A or 238A.

267 Section 83A (heading)

Repeal the heading, substitute:

83A Energy supplement for compensation under this Part

268 Subsection 83A(1)

Omit “a clean energy supplement”, substitute “an energy supplement”.

269 Subsection 83A(1) (note)

Omit “clean energy supplement”, substitute “energy supplement”.

270 Subsection 83A(3)

Repeal the subsection, substitute:

Rate of energy supplement

(3) The daily rate of the supplement is $\frac{1}{7}$ of \$3.80.

271 Subsection 204(2)

Omit “clean energy supplement”, substitute “energy supplement”.

272 Section 209A (heading)

Repeal the heading, substitute:

209A Energy supplement for Special Rate Disability Pension

273 Subsection 209A(1)

Omit “a clean energy supplement”, substitute “an energy supplement”.

274 Subsection 209A(1) (note)

Omit “clean energy supplement”, substitute “energy supplement”.

275 Subsection 209A(2)

Repeal the subsection, substitute:

(2) The daily rate of the supplement is $\frac{1}{7}$ of \$10.75.

276 Section 238A (heading)

Repeal the heading, substitute:

238A Energy supplement for compensation for wholly dependent partners of deceased members

277 Subsection 238A(1)

Omit “a clean energy supplement”, substitute “an energy supplement”.

278 Subsection 238A(1) (note)

Omit “clean energy supplement”, substitute “energy supplement”.

279 Subsection 238A(3)

Repeal the subsection, substitute:

Rate of energy supplement

(3) The daily rate of the supplement is $\frac{1}{7}$ of \$7.10.

280 Section 404 (heading)

Repeal the heading, substitute:

404 Indexation of amounts

281 Subsections 404(1A) and (2)

Repeal the subsections, substitute:

(2) The dollar amount mentioned in the provision, for an indexation year in which the indexation factor is greater than 1, is replaced by the amount worked out using the formula:

$$\text{Dollar amount for the provision for the previous financial year} \times \text{Indexation factor for the indexation year}$$

282 Subsection 430(3AA)

Omit “clean energy supplement”, substitute “energy supplement”.

283 Application, saving and transitional provisions

(1) The amendments made by items 267 to 270 and 272 to 279 apply for the purposes of working out the payment of energy supplement for days on or after the commencement of those items.

Schedule 1 Energy supplement replacing clean energy supplement

Part 4 Energy supplement under the Military Rehabilitation and Compensation Act

- (2) Despite the amendments made by items 267 to 270 and 272 to 279, sections 83A, 209A and 238A of the *Military Rehabilitation and Compensation Act 2004*, as in force immediately before the commencement of those items, continue to apply on and after that commencement for the purposes of working out the payment of clean energy supplement for days occurring before that commencement.
- (3) A choice referred to in subsection 430(3AA) of the *Military Rehabilitation and Compensation Act 2004* that was in force immediately before the commencement of this item has effect on and after that commencement as if it were a choice to be paid energy supplement quarterly.

Part 5—Energy supplement consequential amendments

Farm Household Support Act 2014

284 Section 58 (heading)

Repeal the heading, substitute:

58 Energy supplement

285 Section 58 (note)

Omit “Quarterly clean energy supplement”, substitute “Quarterly energy supplement”.

286 Section 62 (heading)

Repeal the heading, substitute:

62 Energy supplement

287 Section 62 (note)

Omit “Quarterly clean energy supplement”, substitute “Quarterly energy supplement”.

288 Paragraph 94(f)

Omit “quarterly clean energy supplement”, substitute “quarterly energy supplement”.

Income Tax Assessment Act 1997

289 Section 52-15 (table items 1, 2, 3 and 4, column headed “the supplementary amount is the total of:”)

Omit “clean energy supplement”, substitute “energy supplement”.

290 Paragraph 52-70(e)

Omit “clean energy supplement”, substitute “energy supplement”.

291 Paragraph 52-132(c)

Omit “clean energy supplement”, substitute “energy supplement”.

292 Paragraph 52-140(3)(c)

Omit “clean energy supplement”, substitute “energy supplement”.

293 Section 53-10 (table item 4D, column headed “... is exempt subject to these exceptions and special conditions:”)

Omit “clean energy supplement”, substitute “energy supplement”.

294 Transitional provisions

- (1) Items 1, 2, 3 and 4 of the table in section 52-15 of the *Income Tax Assessment Act 1997* apply on and after the commencement of this item as if a reference in those items to energy supplement included a reference to clean energy supplement.
- (2) Paragraphs 52-70(e), 52-132(c) and 52-140(3)(c) of the *Income Tax Assessment Act 1997* apply on and after the commencement of this item as if a reference in those paragraphs to energy supplement included a reference to clean energy supplement.
- (3) Item 4D of the table in section 53-10 of the *Income Tax Assessment Act 1997* applies on and after the commencement of this item as if a reference in that item to energy supplement included a reference to clean energy supplement.

Part 6—Energy supplement under schemes

Military Rehabilitation and Compensation Act Education and Training Scheme 2004

295 Paragraph 3A.13.1

Omit “, subject to 3A.18.1,”.

296 Paragraph 3A.13.1 (note)

Repeal the note.

297 Paragraph 3A.18.1

Repeal the paragraph (including the heading and the note).

Veterans’ Children Education Scheme

298 Paragraph 3A.13.1

Omit “, subject to 3A.18.1,”.

299 Paragraph 3A.13.1 (note)

Repeal the note.

300 Paragraph 3A.18.1

Repeal the paragraph (including the heading and the note).

Part 7—Other amendments

Social Security Act 1991

301 After point 1067G-H26

Insert:

1067G-H26A For the purposes of paragraph 1067G-H26(a), disregard steps 2, 2A and 3 of the method statement in point 1067G-A1.

1067G-H26B For the purposes of paragraph 1067G-H26(b), disregard steps 2 and 3 of the method statement in point 1068-A1.

302 After point 1067L-D25

Insert:

1067L-D25A For the purposes of paragraph 1067L-D25(a), disregard steps 2, 2A and 3 of the method statement in point 1067G-A1.

1067L-D25B For the purposes of paragraph 1067L-D25(b), disregard steps 2 and 3 of the method statement in point 1068-A1.

303 After point 1068-G9

Insert:

1068-G9A For the purposes of paragraph 1068-G9(a), disregard steps 2, 2A and 3 of the method statement in point 1067G-A1.

1068-G9B For the purposes of paragraph 1068-G9(b), disregard steps 2 and 3 of the method statement in point 1068-A1.

304 After point 1068B-D22

Insert:

1068B-D22A For the purposes of paragraph 1068B-D22(a), disregard steps 2, 2A and 3 of the method statement in point 1067G-A1.

1068B-D22B For the purposes of paragraph 1068B-D22(b), disregard steps 2 and 3 of the method statement in point 1068-A1.

305 Application provision

The amendments made by this Part apply for the purposes of working out the rate of a person's social security payment for days on or after the commencement of this Part.

Schedule 2—Indexation

Part 1—Amendments commencing 1 July 2015

Farm Household Support Act 2014

1 Section 95 (table item 5)

Omit “1 July 2015”, substitute “1 July 2017”.

Social Security Act 1991

2 Subsection 1191(1) (table items 21A, 21B and 21C)

Repeal the items.

3 Before subsection 1192(5A)

Insert:

(5AB) Amounts under items 21, 22 and 23 of the CPI Indexation Table in subsection 1191(1) are not to be indexed on 1 July 2015 and 1 July 2016.

4 Section 1204

Repeal the section, substitute:

1204 Adjustment of benefit AVLs

- (1) This Act has effect as if, on 1 July each year, the amount worked out in accordance with the following formula were substituted for the benefit “single” non-homeowner AVL:

$$\text{Benefit “single” homeowner AVL} + 2 \times \left[\begin{array}{r} \text{Benefit “partnered”} \\ \text{(item 3)} \\ \text{non-homeowner} \\ \text{AVL} \end{array} - \begin{array}{r} \text{Benefit “partnered”} \\ \text{(item 3)} \\ \text{homeowner AVL} \end{array} \right]$$

where:

benefit “partnered” (item 3) homeowner AVL is the current figure, as at that 1 July, for the benefit “partnered” (item 3) homeowner AVL.

benefit “partnered” (item 3) non-homeowner AVL is the current figure, as at that 1 July, for the benefit “partnered” (item 3) non-homeowner AVL.

benefit “single” homeowner AVL is the current figure, as at that 1 July, for the benefit “single” homeowner AVL.

- (2) This Act has effect as if, on 1 July each year, the amount worked out in accordance with the following formula were substituted for the benefit “partnered” (item 2) homeowner AVL:

$2 \times$ Benefit “partnered” (item 3) homeowner AVL

where:

benefit “partnered” (item 3) homeowner AVL is the current figure, as at that 1 July, for the benefit “partnered” (item 3) homeowner AVL.

- (3) This Act has effect as if, on 1 July each year, the amount worked out in accordance with the following formula were substituted for the benefit “partnered” (item 2) non-homeowner AVL:

$2 \times$ Benefit “partnered” (item 3) non-homeowner AVL

where:

benefit “partnered” (item 3) non-homeowner AVL is the current figure, as at that 1 July, for the benefit “partnered” (item 3) non-homeowner AVL.

Part 2—Amendments commencing 1 July 2017

Social Security Act 1991

5 Before subsection 1192(5A)

Insert:

- (5AE) Amounts under items 18, 19 and 20 of the CPI Indexation Table in subsection 1191(1) are not to be indexed on 1 July 2017, 1 July 2018 and 1 July 2019.

Veterans' Entitlements Act 1986

6 Subsections 59C(2A) and (3)

Repeal the subsections, substitute:

- (3) Amounts under items 6, 7 and 8 of the CPI Indexation Table in subsection 59B(1) are not to be indexed on 1 July 2017, 1 July 2018 and 1 July 2019.

Schedule 3—Disability support pension

Part 1—Participation by certain persons reviewed on or after 1 July 2014

Social Security Act 1991

1 At the end of subparagraph 94(1)(da)(i)

Add “or is a reviewed 2008-2011 DSP starter”.

2 Paragraph 94(2)(aa)

After “(3B)”, insert “or the person is a reviewed 2008-2011 DSP starter who has had an opportunity to participate in a program of support”.

3 After paragraph 94(3A)(b)

Insert:

and (c) the person is not a reviewed 2008-2011 DSP starter;

4 Subsection 94(5)

Insert:

reviewed 2008-2011 DSP starter means a person for whom all the following conditions are met:

- (a) the person made (or is taken to have made) a claim for disability support pension before 3 September 2011;
- (b) a determination granting the claim took effect after 2007;
- (c) on or after 1 July 2014 the person was given a notice under subsection 63(2) or (4) of the Administration Act in relation to assessing the person’s qualification for that pension;
- (d) when the notice was given, the person was under 35 years of age;
- (e) before the notice was given, either:
 - (i) there was a record that the Secretary was satisfied that the person was able to do work that was for at least 8 hours per week on wages at or above the relevant minimum wage and that existed in Australia, even if not within the person’s locally accessible labour market; or

Schedule 3 Disability support pension

Part 1 Participation by certain persons reviewed on or after 1 July 2014

- (ii) there was no record that the Secretary had considered whether the person was able to do work described in subparagraph (i);
- (f) after the notice was given, the Secretary decided not to determine under section 80 of the Administration Act that the disability support pension for the person is to be cancelled;
- (g) as a result of the assessment involving the notice, the Secretary is satisfied that the person:
 - (i) does not have a severe impairment within the meaning of subsection (3B); and
 - (ii) is able to do work that is for at least 8 hours per week on wages at or above the relevant minimum wage and that exists in Australia, even if not within the person's locally accessible labour market;
- (h) the person does not have a dependent child under 6 years of age.

Note 1: Section 63 of the Administration Act lets the Secretary notify a person that the person must give information to the Secretary or undergo a medical, psychiatric or psychological examination and give the Secretary a report on the examination.

Note 2: Section 80 of the Administration Act lets the Secretary determine that disability support pension paid to a person is to be cancelled if the person is not or was not qualified for the pension, or if the pension is not or was not payable to the person (which may apply because the person did not comply with the notice under section 63 of that Act).

5 At the end of section 96

Add:

- (3) However, subsection (2) does not apply if, apart from that subsection, the person would cease to be qualified for disability support pension for the reason described in paragraph (1)(b) in the period:
 - (a) starting when the person becomes a reviewed 2008-2011 DSP starter as defined in subsection 94(5); and
 - (b) ending at the first time, after the person becomes a reviewed 2008-2011 DSP starter, at which the Secretary reviews the determination granting disability support pension to the person.

6 Application provisions

- (1) Sections 94 and 96 of the *Social Security Act 1991* as amended by this Part apply for the purposes of determining a person's qualification for disability support pension in respect of days occurring on or after the commencement of this Part.
- (2) Section 94 of that Act, as so amended, applies whether the person claimed (or is taken to have claimed) disability support pension before, on or after 3 September 2011.
- (3) Subitem (2) has effect despite item 12 of Schedule 3 to the *Family Assistance and Other Legislation Amendment Act 2011*.

Note: That Schedule made amendments to insert paragraph 94(2)(aa) and subsections 94(3A) to (3E) in the *Social Security Act 1991*, and provided for those amendments to apply in relation to a person who claimed (or was taken to have claimed) disability support pension on or after 3 September 2011.

Part 2—Commonwealth-funded program of support

Social Security Act 1991

7 Paragraph 94(2)(aa)

After “(3C)”, insert “, and the program of support was wholly or partly funded by the Commonwealth”.

8 Saving provision

Despite the amendment made by this Part, a person is qualified for disability support pension if:

- (a) a program of support for the person that was not wholly or partly funded by the Commonwealth started before the commencement of this Part; and
- (b) the person would qualify for the pension if that program had been wholly or partly funded by the Commonwealth.

Schedule 4—Portability for students and new apprentices

Social Security Act 1991

1 Section 1217 (cell at table item 12, column 5)

Repeal the cell, substitute:

6 weeks

(but see also
section 1218BA)

2 Section 1217 (cells at table items 13 and 14, column 4)

Repeal the cells, substitute:

A temporary absence
for either of the
following purposes:

- (a) to seek eligible
medical
treatment;
- (b) to attend to an
acute family crisis

3 Section 1217 (cell at table item 14, column 5)

Omit “section 1218”, substitute “sections 1218 and 1218BA”.

4 At the end of section 1218

Add:

- (4) The Secretary may, by legislative instrument, make principles that must be complied with when deciding how much of a period of absence is for the purpose of undertaking studies that form part of a course of education.

5 After section 1218B

Insert:

1218BA Exception—new apprentices

- (1) This section applies if, immediately before the period of absence commenced, the person was receiving youth allowance on the basis of section 540AA applying (about new apprentices) or austudy payment on the basis of section 568AA applying (about new apprentices).
- (2) The person's right to continue to be paid youth allowance or austudy payment is not affected merely by the person's absence throughout so much of the period of absence as is for the purpose of undertaking the person's full-time apprenticeship, traineeship or trainee apprenticeship.
- (3) The Secretary may, by legislative instrument, make principles that must be complied with when deciding how much of a period of absence is for the purpose of undertaking a full-time apprenticeship, traineeship or trainee apprenticeship.

6 Application provision

The amendments made by this Schedule apply in relation to a period of absence from Australia beginning on or after the commencement of this Schedule.

Schedule 5—Portability of disability support pension

Social Security Act 1991

3 Paragraph 1217(2)(b)

Repeal the paragraph, substitute:

- (b) except where an unlimited absence is specified in column 5 of the item or a provision of Subdivision B applies, the absence does not:
 - (i) exceed the period specified in column 5 of that item; or
 - (ii) in the case of item 2—cause the total number of days (whether consecutive or not) of the person’s temporary absence from Australia in the last 12 months to exceed 28, ignoring days in accordance with that item.

4 Subsection 1217(4)

Omit “a period of weeks”, substitute “not an unlimited period”.

5 Subparagraph 1217(4)(b)(ii)

Omit “of weeks”.

6 Section 1217 (table item 2)

Repeal the item, substitute:

2	Disability support pension	Australian resident disability support pensioner	Any temporary absence, except for any of the following purposes: <ul style="list-style-type: none"> (a) to seek eligible medical treatment; (b) to attend to an acute family crisis; (c) for a humanitarian purpose 	A total of 28 days (whether consecutive or not) of temporary absence from Australia for any purpose in the last 12 months, ignoring days on which the person was not receiving disability support pension (but see also
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Schedule 5 Portability of disability support pension

				sections 1218AAA, 1218AA, 1218AB, 1218, 1218C and 1218D)
2AA	Disability support pension	Australian resident disability support pensioner	Temporary absence for any of the following purposes: (a) to seek eligible medical treatment; (b) to attend to an acute family crisis; (c) for a humanitarian purpose	4 weeks (but see also sections 1218AAA, 1218AA, 1218AB, 1218, 1218C and 1218D)

7 Subsection 1218AA(3)

Repeal the subsection, substitute:

- (3) If the Secretary revokes the determination, this Part has effect after the revocation as if:
- (a) the person's maximum portability period for the pension were worked out under whichever one of items 2, 2AA and 2A of the table in section 1217 applies; and
 - (b) if the person was absent from Australia at the time of the revocation—the person's absence started on the revocation; and
 - (c) if item 2 of the table in section 1217 applies—the person had not been absent from Australia at any time in the 12 months before the revocation.

10 Application and transitional provisions

- (1) The amendments made by this Schedule apply in relation to temporary absences of Australian resident disability support pensioners from Australia that start on or after the commencement of this Schedule. For this purpose, *Australian resident disability support pensioner* has the same meaning as in Part 4.2 of the *Social Security Act 1991*.
- (2) In applying the amendments in relation to temporary absences that start on, or in the first 12 months after, the commencement of this Schedule,

ignore days of temporary absence that occurred before that commencement.

- (3) Despite subitem (1), the amendments made by this Schedule do not apply in relation to an Australian resident disability support pensioner's temporary absence from Australia if, before 14 May 2014, one or more contracts were made for him or her to be transported:
- (a) from Australia at the start of the absence; and
 - (b) back to Australia before 1 January 2016 for the end of the absence.

Schedule 6—Young Carer Bursary Programme

Social Security Act 1991

1 After paragraph 8(8)(jah)

Insert:

- (jai) a payment of a bursary under the program established by the Commonwealth and known as the Young Carer Bursary Programme;

Veterans' Entitlements Act 1986

2 After paragraph 5H(8)(pabb)

Insert:

- (pabc) a payment of a bursary under the program established by the Commonwealth and known as the Young Carer Bursary Programme;

Schedule 7—Seniors health card

Part 1—Seniors health card income test

Division 1—Main amendments

Social Security Act 1991

1 Point 1071-1 (method statement, after step 1)

Insert:

Step 1A. If, at the test time, the person, or the person's partner (if any), has at least one long-term financial asset (see point 1071-13), work out the person's deemed income amount under:

- (a) if, at the test time, the person is not a member of a couple—point 1071-11A; or
- (b) if, at the test time, the person is a member of a couple—point 1071-11B.

Step 1B. Work out the sum of the amounts at step 1 and step 1A (if any).

2 Point 1071-1 (method statement, steps 3, 4 and 5)

Omit "person's adjusted taxable income for the reference tax year", substitute "amount at step 1B".

3 After point 1071-11

Insert:

Deemed income amount

1071-11A This is how to work out the person's deemed income amount under this point:

Method statement

Schedule 7 Seniors health card
Part 1 Seniors health card income test

- | |
|--|
| <p>Step 1. Work out the total value of all of the person's long-term financial assets (see point 1071-13) at the test time.</p> <p>Step 2. Work out under section 1076 the amount of ordinary income the person would be taken to receive per year on the financial assets:</p> <ul style="list-style-type: none">(a) on the assumption that the only financial assets of the person were the financial assets referred to in step 1; and(b) on the assumption that the total value of the person's financial assets were the amount at step 1. <p>Step 3. The result at step 2 is the person's <i>deemed income amount</i>.</p> |
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1071-11B This is how to work out the person's deemed income amount under this point:

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|---|
| <p><i>Method statement</i></p> <p>Step 1. Work out the total value of all of the person's long-term financial assets (see point 1071-13) at the test time.</p> <p>Step 2. If, at the test time, the person's partner has reached the minimum age mentioned in section 301-10 of the <i>Income Tax Assessment Act 1997</i>, work out the total value of all of the person's partner's long-term financial assets (see point 1071-13) at the test time.</p> <p>Step 3. Work out under section 1077 the amount of ordinary income the couple would be taken to receive per year on the financial assets:</p> <ul style="list-style-type: none">(a) on the assumption that section 1077 applied to the person and the person's partner; and |
|---|

- (b) on the assumption that the only financial assets of the person and the person's partner were the financial assets referred to in steps 1 and 2; and
- (c) on the assumption that the total value of the couple's financial assets were the sum of the amounts at steps 1 and 2.

Step 4. Divide the amount at step 3 by 2: the result is the person's *deemed income amount*.

4 Section 1071 (at the end of the Seniors Health Card Taxable Income Test Calculator)

Add:

Long-term financial asset

1071-13 For the purposes of this Part, a *long-term financial asset* is:

- (a) a financial investment within the meaning of paragraph (i) of the definition of *financial investment* in subsection 9(1), where the asset-tested income stream (long term) arises under a complying superannuation plan (within the meaning of the *Income Tax Assessment Act 1997*) that is not a constitutionally protected fund (within the meaning of that Act); or
- (b) a financial investment within the meaning of paragraph (j) of the definition of *financial investment* in subsection 9(1).

Note: Schedule 7 to the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Act 2014* preserves the rules in this Calculator for a certain kind of long-term financial asset that was being provided to a person immediately before 1 January 2015 where the person held a seniors health card immediately before that day provided that, since that day, the person has held a seniors health card.

5 Application provisions

- (1) The amendments made by items 1 to 4 apply in relation to working out whether a person is qualified for a seniors health card on a day occurring on or after the commencement of those items.
- (2) However, if:

- (a) a person held a seniors health card under Division 2 of Part 2A.1 of the *Social Security Act 1991* immediately before 1 January 2015; and
- (b) either:
 - (i) an asset-tested income stream (long term), that is an account-based pension within the meaning of the *Superannuation Industry (Supervision) Regulations 1994*, was being provided to the person immediately before 1 January 2015; or
 - (ii) an asset-tested income stream (long term), that is an annuity (within the meaning of the *Superannuation Industry (Supervision) Act 1993*) provided under a contract that meets the standards determined in an instrument under subparagraph 1099DAA(1)(b)(ii) of the *Social Security Act 1991*, was being provided to the person immediately before 1 January 2015;

the amendments made by items 1 to 4 do not apply in relation to the person and that asset-tested income stream (long term).

- (3) Subitem (2) ceases to apply to the person at the end of the first day on which the person ceases to hold a seniors health card under Division 2 of Part 2A.1 of the *Social Security Act 1991*.

Veterans' Entitlements Act 1986

6 Point 118ZZA-1 (method statement, after step 1)

Insert:

- Step 1A. If, at the test time, the person, or the person's partner (if any), has at least one long-term financial asset (see point 118ZZA-12), work out the person's deemed income amount under:
- (a) if, at the test time, the person is not a member of a couple—point 118ZZA-10A; or
 - (b) if, at the test time, the person is a member of a couple—point 118ZZA-10B.

Step 1B. Work out the sum of the amounts at step 1 and step 1A (if any).

7 Point 118ZZA-1 (method statement, steps 3, 4 and 5)

Omit “person’s adjusted taxable income for the reference tax year”, substitute “amount at step 1B”.

8 After point 118ZZA-10

Insert:

Deemed income amount

118ZZA-10A This is how to work out the person’s deemed income amount under this point:

Method statement

- Step 1. Work out the total value of all of the person’s long-term financial assets (see point 118ZZA-12) at the test time.
- Step 2. Work out under section 46D the amount of ordinary income the person would be taken to receive per year on his or her financial assets:
- (a) on the assumption that the only financial assets of the person were the financial assets referred to in step 1; and
 - (b) on the assumption that the total value of the person’s financial assets were the amount at step 1.
- Step 3. The result at step 2 is the person’s ***deemed income amount***.

118ZZA-10B This is how to work out the person’s deemed income amount under this point:

Method statement

- | |
|--|
| <p>Step 1. Work out the total value of all of the person's long-term financial assets (see point 118ZZA-12) at the test time.</p> <p>Step 2. If, at the test time, the person's partner has reached the minimum age mentioned in section 301-10 of the <i>Income Tax Assessment Act 1997</i>, work out the total value of all of the person's partner's long-term financial assets (see point 118ZZA-12) at the test time.</p> <p>Step 3. Work out under section 46E the amount of ordinary income the couple would be taken to receive per year on their financial assets:</p> <ul style="list-style-type: none">(a) on the assumption that the only financial assets of the person and the person's partner were the financial assets referred to in steps 1 and 2; and(b) on the assumption that the total value of the couple's financial assets were the sum of the amounts at steps 1 and 2. <p>Step 4. Divide the amount at step 3 by 2: the result is the person's <i>deemed income amount</i>.</p> |
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9 Section 118ZZA (at the end of the Seniors Health Card Income Test Calculator)

Add:

Long-term financial asset

118ZZA-12 For the purposes of this Division, a *long-term financial asset* is:

- (a) a financial investment within the meaning of paragraph (i) of the definition of *financial investment* in subsection 5J(1), where the asset-tested income stream (long term) arises under a complying superannuation plan (within the meaning of the *Income Tax Assessment Act 1997*) that is not a constitutionally protected fund (within the meaning of that Act); or

- (b) a financial investment within the meaning of paragraph (j) of the definition of ***financial investment*** in subsection 5J(1).

Note: Schedule 7 to the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Act 2014* preserves the rules in this Calculator for a certain kind of long-term financial asset that was being provided to a person immediately before 1 January 2015 where the person held a seniors health card immediately before that day provided that, since that day, the person has held a seniors health card.

10 Application provisions

- (1) The amendments made by items 6 to 9 apply in relation to working out whether a person is qualified for a seniors health card under Part VIIC of the *Veterans' Entitlements Act 1986* on a day occurring on or after the commencement of those items.
- (2) However, if:
- (a) a person held a seniors health card under Part VIIC of the *Veterans' Entitlements Act 1986* immediately before 1 January 2015; and
 - (b) either:
 - (i) an asset-tested income stream (long term), that is an account-based pension within the meaning of the *Superannuation Industry (Supervision) Regulations 1994*, was being provided to the person immediately before 1 January 2015; or
 - (ii) an asset-tested income stream (long term), that is an annuity (within the meaning of the *Superannuation Industry (Supervision) Act 1993*) provided under a contract that meets the standards determined in an instrument under subparagraph 46YA(1)(b)(ii) of the *Veterans' Entitlements Act 1986*, was being provided to the person immediately before 1 January 2015;
- the amendments made by items 6 to 9 do not apply in relation to the person and that asset-tested income stream (long term).
- (3) Subitem (2) ceases to apply to the person at the end of the first day on which the person ceases to hold a seniors health card under Part VIIC of the *Veterans' Entitlements Act 1986*.

Division 2—Technical amendments

Social Security Act 1991

11 Paragraph 1061ZG(1)(d)

Omit “taxable”.

12 Subsection 1061ZG(3) (definition of *reference tax year*)

Omit “Taxable”.

13 Part 3.9 (heading)

Repeal the heading, substitute:

Part 3.9—Seniors Health Card Income Test Calculator

14 Section 1071 (heading)

Repeal the heading, substitute:

1071 Seniors Health Card Income Test Calculator

15 Section 1071

Omit “Seniors Health Card Taxable Income Test Calculator at the end of this section”, substitute “Seniors Health Card Income Test Calculator at the end of this section”.

16 Section 1071

Omit “seniors health card taxable income test for”, substitute “seniors health card income test for”.

17 Section 1071 (Seniors Health Card Taxable Income Test Calculator) (heading)

Repeal the heading, substitute:

Seniors Health Card Income Test Calculator

18 Point 1071-1 (heading)

Repeal the heading, substitute:

Satisfying the seniors health card income test

19 Point 1071-1

Omit “satisfies the seniors health card taxable income test at”, substitute “satisfies the seniors health card income test at”.

20 Point 1071-1 (method statement, step 2)

Omit “taxable”.

21 Point 1071-1 (method statement, step 3)

Omit “seniors health card taxable income limit”, substitute “seniors health card income limit”.

22 Point 1071-1 (method statement, step 4)

Omit “seniors health card taxable income limit, the person satisfies the seniors health card taxable income test”, substitute “seniors health card income limit, the person satisfies the seniors health card income test”.

23 Point 1071-1 (method statement, step 5)

Omit “seniors health card taxable income limit, the person does not satisfy the seniors health card taxable income test”, substitute “seniors health card income limit, the person does not satisfy the seniors health card income test”.

24 Point 1071-12 (heading)

Repeal the heading, substitute:

Seniors health card income limit

25 Point 1071-12

Omit “A person’s seniors health card taxable income limit is worked out using the Seniors Health Card Taxable Income Limit Table. Work out which family situation in the table applies to the person. The person’s seniors health card taxable income limit”, substitute “A person’s seniors health card income limit is worked out using the Seniors Health Card Income Limit Table. Work out which family situation in the table applies to the person. The person’s seniors health card income limit”.

26 Point 1071-12 (table)

Omit “**Seniors Health Card Taxable Income Limit Table**”, substitute “**Seniors Health Card Income Limit Table**”.

27 Part 3.12A (heading)

Repeal the heading, substitute:

**Part 3.12A—Provisions for Seniors Health Card
income test**

28 Section 1157A

Omit “Seniors Health Card Taxable Income Test Calculator”, substitute “Seniors Health Card Income Test Calculator”.

Veterans’ Entitlements Act 1986

29 Point 118ZZA-11 (table)

Omit “**Seniors Health Card Taxable Income Limit Table**”, substitute “**Seniors Health Card Income Limit Table**”.

Part 2—Portability

Social Security Act 1991

30 Subsection 1061ZUB(2)

Omit “Throughout”, substitute “For a concession card (other than a seniors health card), throughout”.

31 After subsection 1061ZUB(2)

Insert:

- (2A) For a concession card that is a seniors health card, throughout so much (if any) of the period of absence as occurs after the end of the period of 19 weeks beginning on the day the person leaves Australia, the person is not qualified for the concession card.

32 Paragraph 1061ZUB(3)(b)

Repeal the paragraph, substitute:

- (b) the following:
- (i) for a concession card (other than a seniors health card)—the period of 6 weeks beginning on the day the person leaves Australia;
 - (ii) for a concession card that is a seniors health card—the period of 19 weeks beginning on the day the person leaves Australia.

33 Application provision

The amendments made by items 30, 31 and 32 apply in relation to:

- (a) a person’s period of absence from Australia beginning on or after the commencement of those items; and
- (b) a person’s period of absence from Australia beginning before the commencement of those items, where:
 - (i) the person is continuously absent from Australia during the period beginning on the day the person leaves Australia and ending immediately before 1 January 2015; and

Schedule 7 Seniors health card
Part 2 Portability

- (ii) the length of that absence immediately before 1 January 2015 is less than 19 weeks.

Schedule 8—Relocation scholarships

Social Security Act 1991

1 At the end of section 592K

Add:

Person's place of study is in a major city location

- (6) Despite section 592J, a person is not qualified for a relocation scholarship payment if:
- (a) at the person's qualification time, the person is not independent (see section 1067A); and
 - (b) at the person's qualification time, the person is required to live away from home (see section 1067D); and
 - (c) on the day the person started to undertake the course referred to in paragraph 592J(d), the home of each parent of the person was in a major city location; and
 - (d) at the person's qualification time, the person's place of study, worked out in accordance with an instrument in force under subsection (8), is in a major city location.

Note: For *parent* see subsection 5(1) and for *major city location* see subsection (9).

- (7) Despite section 592J, a person is not qualified for a relocation scholarship payment if:
- (a) at the person's qualification time, the person is independent because of subsection 1067A(3), (5), (6), (7), (8), (9) or (11); and
 - (b) on the day 6 months before the person started to undertake the course referred to in paragraph 592J(d), the person's usual place of residence was in a major city location; and
 - (c) at the person's qualification time, the person's place of study, worked out in accordance with an instrument in force under subsection (8), is in a major city location.

Note: For *major city location* see subsection (9).

(8) The Secretary may, by legislative instrument, make principles that must be complied with when working out a person's place of study at a particular time.

(9) In this section:

major city location means a location categorised as one of the Major Cities of Australia, under the Remoteness Structure as defined in subsection 1067A(10F).

2 Application provision

The amendment made by this Schedule applies in relation to working out whether a person is qualified for a relocation scholarship payment at a time on or after the commencement of this Schedule (regardless of whether the person qualified for a relocation scholarship payment at a time before that commencement).

Schedule 9—Family tax benefit

A New Tax System (Family Assistance) Act 1999

1 Clause 2 of Schedule 1

Omit “worked out using the following table. An individual’s higher income free area is the basic amount in column 1 plus an additional amount in column 2 for each FTB child of the individual (after the first)”, substitute “the basic amount in column 1 of the following table”.

2 Clause 2 of Schedule 1 (table, column 2)

Repeal the column.

3 Clause 28B of Schedule 1 (heading)

Repeal the heading, substitute:

28B Adjusted taxable income exceeding \$100,000

4 Subclause 28B(1) of Schedule 1

Omit “\$150,000”, substitute “\$100,000”.

5 Clause 34 of Schedule 1

Omit “3 or more”, substitute “4 or more”.

6 Clause 35 of Schedule 1 (formula)

Omit “2”, substitute “3”.

7 Clause 2 of Schedule 4 (table item 12)

Repeal the item.

8 Subclause 3(1) of Schedule 4 (table item 12)

Repeal the item.

9 Subclause 3(7) of Schedule 4

Omit “, the FTB additional HIFA (A)”.

10 Application provision

The amendments made by items 1, 2, 3, 4, 5 and 6 apply in relation to working out the rate of family tax benefit for days on or after the commencement of those items.

Schedule 10—Social and Community Services Pay Equity Special Account

Social and Community Services Pay Equity Special Account Act 2012

1 Subsection 4(1) (at the end of the definition of *pay equity order*)

Add:

; or (c) a State pay equity order (Western Australia).

2 Subsection 4(1)

Insert:

State pay equity order (Western Australia) means:

- (a) the order made by the Western Australian Industrial Relations Commission on 29 August 2013 (2013 WAIRC 00776) varying the *Social and Community Services (Western Australia) Interim Award 2011*; or
- (b) the order made by the Western Australian Industrial Relations Commission on 29 August 2013 (2013 WAIRC 00775) varying the *Crisis Assistance, Supported Housing Industry – Western Australian Interim Award 2011*.

3 Section 6 (table items 4 to 9)

Repeal the items, substitute:

3A	The day Schedule 10 to the <i>Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Act 2014</i> commences	\$5.9 million
4	1 July 2015	\$261.6 million
5	1 July 2016	\$319.9 million
6	1 July 2017	\$381.8 million
7	1 July 2018	\$447.2 million
8	1 July 2019	\$509.9 million
9	1 July 2020	\$576.5 million

4 Part 1 of Schedule 1 (heading)

After “in”, insert “Schedule 1AA to”.

5 Part 1 of Schedule 1 (after the heading)

Insert:

Note: The item numbers in this Part correspond to the item numbers in Schedule 1AA to those regulations.

6 Part 1 of Schedule 1

Omit:

Attorney-General's Department

7 Part 1 of Schedule 1

Omit:

Department of Education, Employment and Workplace Relations

8 Part 1 of Schedule 1

Omit:

Department of Families, Housing, Community Services and Indigenous Affairs

9 Part 1 of Schedule 1

Omit:

Department of Health and Ageing

10 Part 1 of Schedule 1

Omit:

Department of Immigration and Citizenship

11 Part 1 of Schedule 1

Omit:

Department of the Prime Minister and Cabinet

12 Part 2 of Schedule 1

Omit:

***Department of Families, Housing, Community Services and
Indigenous Affairs***

13 Part 1 of Schedule 2 (heading)

After “in”, insert “Schedule 1AA to”.

14 Part 1 of Schedule 2 (after the heading)

Insert:

Note: The item numbers in this Part correspond to the item numbers in Schedule 1AA to those regulations.

15 Part 1 of Schedule 2

Omit:

Department of Immigration and Citizenship

16 Part 1 of Schedule 2

Omit:

Department of Veterans' Affairs

17 Part 2 of Schedule 2

Omit:

Department of Veterans' Affairs

[Minister's second reading speech made in—
House of Representatives on 2 October 2014
Senate on 2 October 2014]

(220/14)
