

National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Act 2018

No. 46, 2018

An Act to deal with consequential matters relating to the enactment of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, and for related purposes

Contents

1 Short title 2

2 Commencement 2

3 Schedules 2

Schedule 1—National redress scheme payments exempt from income tests 3

Social Security Act 1991 3

Veterans’ Entitlements Act 1986 3

Schedule 2—National redress scheme payments non‑divisible property in bankruptcy 4

Bankruptcy Act 1966 4

Schedule 3—National redress scheme decisions exempt from judicial review 5

Administrative Decisions (Judicial Review) Act 1977 5

Schedule 4—Disclosure and protection of information under the national redress scheme 6

Freedom of Information Act 1982 6

Social Security (Administration) Act 1999 6

Schedule 5—Only adults can apply under the national redress scheme 7

Age Discrimination Act 2004 7



National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Act 2018

No. 46, 2018

An Act to deal with consequential matters relating to the enactment of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, and for related purposes

[*Assented to 21 June 2018*]

The Parliament of Australia enacts:

1 Short title

This Act is the *National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Act 2018*.

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. The whole of this Act | At the same time as the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* commences. | 1 July 2018 |

Note: This table relates only to the provisions of this Act as originally enacted.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.

(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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—National redress scheme payments exempt from income tests

Social Security Act 1991

1 After paragraph 8(8)(jb)

Insert:

(jc) a payment under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*;

Veterans’ Entitlements Act 1986

2 After paragraph 5H(8)(ma)

Insert:

(mb) a payment under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*;

Schedule 2—National redress scheme payments non‑divisible property in bankruptcy

Bankruptcy Act 1966

1 After paragraph 116(2)(g)

Insert:

(ga) a payment under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* to the bankrupt (whether before or after he or she became a bankrupt and whether or not he or she is the person who suffered the sexual abuse to which the payment relates);

Schedule 3—National redress scheme decisions exempt from judicial review

Administrative Decisions (Judicial Review) Act 1977

1 At the end of Schedule 1

Add:

; (zg) decisions under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

Schedule 4—Disclosure and protection of information under the national redress scheme

Freedom of Information Act 1982

1 Schedule 3 (after the item dealing with the *National Health Act 1953*)

Insert:

|  |
| --- |
| *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*, subsections 96(6), 99(1), 100(1) and 101(1) and (2) and section 104 |

Social Security (Administration) Act 1999

2 At the end of subsection 202(1)

Add:

; or (h) the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

3 After paragraph 202(2)(dd)

Insert:

(de) for the purposes of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*; or

Schedule 5—Only adults can apply under the national redress scheme

Age Discrimination Act 2004

1 Schedule 1 (after table item 32A)

Insert:

|  |  |
| --- | --- |
| 32B | *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* |

[*Minister’s second reading speech made in—*

*House of Representatives on 10 May 2018*

*Senate on 18 June 2018*]

(85/18)