



Social Security (Administration) Amendment (Income Management and Cashless Welfare) Act 2019

No. 45, 2019

**An Act to amend the law relating to social security,
and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedules.....	2
	Schedule 1—Income management and cashless welfare	3
	<i>Social Security (Administration) Act 1999</i>	3



Social Security (Administration) Amendment (Income Management and Cashless Welfare) Act 2019

No. 45, 2019

**An Act to amend the law relating to social security,
and for related purposes**

[Assented to 5 April 2019]

The Parliament of Australia enacts:

1 Short title

This Act is the *Social Security (Administration) Amendment
(Income Management and Cashless Welfare) Act 2019*.

*No. 45, 2019 Social Security (Administration) Amendment (Income Management and
Cashless Welfare) Act 2019 1*

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.	5 April 2019
2. Schedule 1	The day after this Act receives the Royal Assent.	6 April 2019

Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Income management and cashless welfare

Social Security (Administration) Act 1999

1 Paragraphs 123UF(1)(g) and (2)(h)

Omit “1 July 2019”, substitute “1 July 2020”.

1A Subsection 124PD(1)

Insert:

health or community worker means a person who carries on, and is entitled to carry on, an occupation that involves the provision of care for the physical or mental health of people or for their wellbeing.

2 Paragraph 124PF(1)(b)

Repeal the paragraph, substitute:

(b) ending on 30 June 2020.

3 After paragraph 124PG(1)(h)

Insert:

(ha) section 124PHA does not apply to the person; and

4 After paragraph 124PGA(1)(h)

Insert:

(ha) section 124PHA does not apply to the person; and

5 After paragraph 124PGB(1)(h)

Insert:

(ha) section 124PHA does not apply to the person; and

6 After paragraph 124PGC(1)(g)

Insert:

(ga) section 124PHA does not apply to the person; and

7 At the end of Division 2 of Part 3D

Add:

Subdivision C—Exiting cashless welfare arrangements

124PHA Participants who responsibly manage their financial affairs

Application of this section

- (1) This section applies to a person if:
 - (a) all of the following apply:
 - (i) the person's usual place of residence is within a trial area where the Minister has authorised a body as a community body;
 - (ii) the person applies to their local community body on or after 1 July 2019 to exit the trial of cashless welfare arrangements;
 - (iii) the person's local community body is satisfied that the person satisfies the criteria mentioned in subsection (2);
 - (iv) the community body notifies the Secretary in writing that it is so satisfied; or
 - (b) all of the following apply:
 - (i) the person's usual place of residence is not within a trial area where the Minister has authorised a body as a community body;
 - (ii) the person applies to the Secretary on or after 1 July 2019 to exit the trial of cashless welfare arrangements;
 - (iii) the Secretary is satisfied that the person satisfies the criteria mentioned in subsection (2).

Note: Subsection (4) sets out when this section ceases to apply to a person.

Criteria

- (2) The criteria for the purposes of subparagraphs (1)(a)(iii) and (b)(iii) are:
 - (a) that the person can demonstrate reasonable and responsible management of their financial affairs, taking into account all of the following:

- (i) the interest of any children for whom the person is responsible;
 - (ii) whether the person has a likelihood of engaging in any unlawful activity;
 - (iii) risks of homelessness;
 - (iv) the health and safety of the person and the community;
 - (v) the responsibilities and circumstances of the person;
 - (vi) the person's engagement in the community, including the person's employment or efforts to obtain work; and
- (b) any further criteria that the Minister determines, by legislative instrument, for the purposes of this subsection.
- (3) Before the Minister makes a determination under paragraph (2)(b), the Minister must:
- (a) consult with local communities and trial participants; and
 - (b) have regard to any feedback received as a result of those consultations.

When this section ceases to apply

- (4) This section ceases to apply to a person if a health or community worker notifies the Secretary in writing that he or she has determined that it is necessary for a person to be a trial participant for medical or safety reasons.
- (5) To avoid doubt, the fact that this section ceases to apply to a person following a notification under subsection (4) does not prevent that person from again applying to exit the trial of cashless welfare arrangements.

[*Minister's second reading speech made in—
House of Representatives on 13 February 2019
Senate on 3 April 2019*]

(33/19)
