



Social Security (Administration) (Ending Unemployment Non-payment Periods — Classes of Persons) (DEEWR) Specification 2009 (No. 1)

Social Security (Administration) Act 1999

I, LISA MARIAN PAUL, Secretary of the Department of Education, Employment and Workplace Relations, make this instrument under subsection 42S (5) of the *Social Security (Administration) Act 1999*.

Dated 10th May 2009

LISA PAUL

Secretary of the Department of Education, Employment and Workplace Relations

1 Name of instrument

This instrument is the *Social Security (Administration) (Ending Unemployment Non-payment Periods — Classes of Persons) (DEEWR) Specification 2009 (No. 1)*.

2 Commencement

This instrument commences on 1 July 2009.

3 Definitions

In this instrument:

Act means the *Social Security (Administration) Act 1999*.

dependent child has the meaning given by section 5 of the *Social Security Act 1991*.

4 Specification of classes of persons

- (1) For paragraph 42S (4) (b) of the Act, the following classes of persons are specified:
 - (a) persons who have significant family and caring responsibilities, including persons with a dependent child;
 - (b) persons who have an illness, impairment or condition that requires treatment, and who cannot afford the treatment after meeting their essential expenses;
 - (c) persons who have a cognitive, neurological, psychiatric or psychological impairment or mental illness that has been established by medical evidence;
 - (d) persons who do not have access to safe, secure and adequate housing, or are using emergency accommodation or a refuge.
- (2) Without limiting paragraph (1) (d), a person is taken not to have access to safe, secure and adequate housing if:
 - (a) the housing to which the person has access:
 - (i) damages, or is likely to damage, the person's health; or
 - (ii) threatens or is likely to threaten the person's safety; or
 - (iii) does not provide the person with access to a reasonable level of personal amenities or the economic and social support that housing normally affords; or
 - (b) in the circumstances, the adequacy, safety, security or affordability of the housing to which the person has access is adversely affected or may be adversely affected; or
 - (c) the person does not have a right to remain, or a reasonable expectation of being able to remain, in the housing to which the person has access.