



Paid Parental Leave Amendment Rules 2015

Paid Parental Leave Act 2010

I, Scott Morrison, Minister for Social Services, make these Rules under section 298 of the *Paid Parental Leave Act 2010*.

Dated: 6 August 2015

Scott Morrison
Minister for Social Services

1 Name of Rules

These Rules are the *Paid Parental Leave Amendment Rules 2015*.

2 Commencement

These Rules commence on the day after they are registered.

3 Amendment of *Paid Parental Leave Rules 2010*

Schedule 1 amends the *Paid Parental Leave Rules 2010*.

Schedule 1 Amendments

- [1] **Subrule 4.2(1) (Definitions of ‘family assistance payment’, ‘family member’, ‘one-off payment to families’ and ‘social security payment’)**

Repeal the definitions of family assistance payment, family member, one-off payment to families and social security payment.

- [2] **Subrule 4.2(1) (Definition of ‘Department’)**

Repeal the definition of Department, substitute:

Department means the department that administers the Act.

- [3] **Paragraph 4.4(1)(c)**

Repeal

“the Secretary is satisfied that the disclosure is for the purpose of rule 4.5, 4.6, 4.7, 4.8, 4.9, 4.11, 4.12, 4.13, 4.14, 4.15 or subrule 4.10 (1) or (2).”

Substitute

“the Secretary is satisfied that the disclosure is for the purpose of rule 4.5, 4.6, 4.6A, 4.7, 4.8, 4.9, 4.11, 4.12, 4.13, 4.14, 4.15 or subrule 4.10 (1) or (2).”

- [4] **After rule 4.6**

Insert

4.6A Proceeds of crime order

- (1) Relevant information may be disclosed to a Commonwealth, State or Territory law enforcement agency for the purpose of this rule if the disclosure is necessary for:
- (a) the making, or proposed or possible making, of a proceeds of crime order;
or
 - (b) supporting or enforcing a proceeds of crime order.
- (2) In this rule *proceeds of crime* order means:
- (a) an order under:
 - (i) Chapter 2 (the confiscation scheme) or Division 1, Part 3-1 of Chapter 3 (examination orders) of the *Proceeds of Crime Act 2002*;
or

-
- (ii) Part II (confiscation) or III (control of property liable to confiscation) of the *Proceeds of Crime Act 1987*; or
 - (iii) a State law or Territory law corresponding to a law referred to in subparagraph (i) or (ii); or
 - (iv) Division 3 of Part XIII (recovery of pecuniary penalties for dealings in narcotic goods) of the *Customs Act 1901*; or
- (b) an unexplained wealth order (within the meaning of the *Proceeds of Crime Act 2002*); or
- (c) a court order (including a declaration or direction):
- (i) under a State law or Territory law; and
 - (ii) relating to unexplained wealth.

[5] Rule 4.9

Repeal the words ‘*coronial enquiry*’ from the opening text of rule 4.9

Substitute ‘*coronial inquiry*’

Repeal the words ‘*coronial enquiry*’ from subparagraph 4.9(b)(i)

Substitute ‘*coronial inquiry*’

[6] Rule 4.10

Repeal the words ‘*coronial enquiry*’ from subparagraph 4.10(1)(b)(i)

Substitute ‘*coronial inquiry*’

[7] Rule 4.11

Repeal

4.11 Research and statistical analysis

Relevant information may be disclosed for the purpose of this rule if the disclosure is necessary for the purpose of:

- (a) research into (including evaluation or monitoring of, or reporting on) matters of relevance to a department that is administering any part of:
 - (i) the Act; or
 - (ii) the family assistance law; or
 - (iii) the social security law; or
- (b) statistical analysis of those matters.

Substitute

4.11 Research, statistical analysis and policy development

Relevant information may be disclosed for the purpose of this rule if the disclosure is necessary for the purpose of:

- (a) research into (including evaluation or monitoring of, or reporting on) matters of relevance to a department that is administering any part of:
 - (i) the Act; or
 - (ii) the family assistance law; or
 - (iii) the social security law; or
- (b) statistical analysis of those matters; or
- (c) policy development.

[8] Rule 4.15

Repeal

4.15 Public Housing Administration

Relevant information may be disclosed to a department or any other authority of a State or Territory for the purpose of this rule if:

- (a) the information is about a resident or tenant of public housing or other State or Territory managed housing; and
- (b) the disclosure is necessary to facilitate:
 - (i) rent calculation or rent deduction in relation to public housing, or State or Territory managed housing; or
 - (ii) the administration of an income confirmation service in relation to public housing or State or Territory managed housing to avoid mistakes, underpayments and overpayments of rent, pensions, benefits and allowances.

Substitute

4.15 Public Housing Administration

Relevant information may be disclosed to a department or any other authority of a State or Territory or an agent or contracted service provider of a department or authority for the purpose of this rule if:

- (a) the information is about a resident, an applicant to become a tenant, or a tenant of public housing or other State or Territory managed housing; and
- (b) the disclosure is necessary to facilitate rent calculation or rent deduction in relation to public housing, or State or Territory managed housing; or
- (c) the disclosure is necessary to facilitate the administration of an income confirmation service in relation to public housing or State or Territory managed housing to avoid mistakes, underpayments and overpayments of rent, pensions, benefits and allowances; or

-
- (d) the disclosure is necessary to investigate or take enforcement action in relation to public housing or State or Territory managed housing including to assist with an investigation into either:
 - (i) the misreporting of income by tenants of public housing or State or Territory managed housing; or
 - (ii) the unauthorised occupation of public housing or State or Territory managed housing by any person.