



Social Security (Employment Pathway Plan Requirements) Determination 2015 (No.1)

Social Security Act 1991

I, RENÉE LEON, Secretary of the Department of Employment, make this determination under subsections 501A(4), 544B(1B), 606(1B) and 731M(1B) of the *Social Security Act 1991*.

Dated 10 December 2015

RENÉE LEON
Secretary of the Department of Employment

1 Name of determination

This Determination is the *Social Security (Employment Pathway Plan Requirements) Determination 2015*.

2 Commencement

This Determination commences on 1 January 2016.

3 Revocation

The following instruments are revoked:

- (a) the *Social Security (Employment Pathway Plan Requirements) (DEEWR) Determination 2009 (No. 1)*;
- (b) the *Social Security (Employment Pathway Plan Requirements) (FaHCSIA) Determination 2009 (No. 1)*.

4 Definitions

In this determination:

Act means the *Social Security Act 1991*.

employment pathway plan means a Parenting Payment Employment Pathway Plan, a Youth Allowance Employment Pathway Plan, a Newstart Employment Pathway Plan or a Special Benefit Employment Pathway Plan.

5 Kinds of requirements that employment pathway plans must not contain

For subsections 501(A)(3), 544B(1A), 606(1A) and 731M(1B) of the Act, the following are the kinds of requirements that an employment pathway plan must not contain:

- (a) a requirement:
 - (i) to seek to be involved in, to participate or otherwise to be involved in a criminal activity; or
 - (ii) to undergo involuntary psychiatric or psychological treatment; or
 - (iii) to undergo involuntary medical treatment; or
 - (iv) for a person residing in Australia — to seek to be involved in, or to undertake, an activity outside Australia; or
 - (v) to seek work as a sex worker or to participate, or otherwise be involved, in the sex or adult entertainment industry;
- (b) a requirement to undertake, or to seek to undertake, an activity that would contravene:
 - (i) a law of the Commonwealth, a State or a Territory relating to discrimination against persons; or
 - (ii) a law of the Commonwealth, a State or a Territory relating to occupational health and safety;
- (c) for a person who has an illness, disability or injury that has been established by medical evidence — a requirement to undertake, or to seek to undertake, an activity:
 - (i) that medical evidence indicates would aggravate the illness, disability or injury; or
 - (ii) in circumstances where the Secretary considers that appropriate support or facilities to manage or take account of the illness, disability or injury would not be available.

.....R.L./