

Social Security (Administration) (Trial – Declinable Transactions and Welfare Restricted Bank Account) Determination 2018

I, Roslyn Baxter, Group Manager, Families & Communities Reform Group, as a delegate of the Secretary of the Department of Social Services make the following instrument.

Dated 13 March 2018

Roslyn Baxter

Group Manager

Families & Communities Reform Group

Department of Social Services

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Part 1 — Preliminary

1 Name

This instrument is the *Social Security (Administration) (Trial – Declinable Transactions and Welfare Restricted Bank Account) Determination 2018*.

2 Commencement

This instrument commences on the day it is registered.

3 Repeal

This instrument will be repealed at the start of 1 July 2019.

4 Authority

This instrument is made under subsections 124PP(1) and 124PQ(2) of the *Social Security (Administration) Act 1999*.

5 Schedules

Each instrument that is specified in Schedule 1 to this instrument is repealed as set out in that schedule, and any other item in a Schedule to this instrument has effect according to its terms.

6 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

1. restrictable payment;
2. trial participant;
3. voluntary participant.

In this instrument:

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

***excluded goods or services*** means goods or services specified in item (5) of Schedule 2 to this instrument.

***Indue Limited*** means Indue Ltd (ABN 97 087 822 464).

***trial period*** means the period specified in subsection 124PF(1) of the Act.

***welfare restricted bank account*** is a bank account of the kind referred to in section 7 of this instrument.

Part 2 — Declinable Transactions

7 Declining of a transaction by a financial institution

For the purposes of subsection 124PQ(2) of the Act, the kinds of businesses specified in Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6 or Schedule 7 to this instrument are kinds of businesses in relation to which transactions involving money in a welfare restricted bank account may be declined by a financial institution.

Part 3 — Welfare Restricted Bank Account

8 Welfare restricted bank account

For the purposes of subsection 124PP(1) of the Act, the kind of bank account to be maintained by a trial participant or voluntary participant for the receipt of restrictable payments is a debit card account established with Indue Limited.

9 Terms and conditions of welfare restricted bank account

For the purposes of subsection 124PP(2) of the Act, a welfare restricted bank account is subject to the terms and conditions set out in Schedule 8 to this instrument.

Schedule 1—Repeals

Social Security (Administration) (Trial - Declinable Transactions) Determination 2016

1 The whole instrument

Repeal the instrument

Social Security (Administration) (Welfare Restricted Bank Account) Determination 2016

2 The whole instrument

Repeal the instrument

Schedule 2—Declared kinds of business pursuant to s 124PQ(2) — By description

|  |  |
| --- | --- |
| Item | Description |
| 1 | A business which sells alcoholic beverages, gambling services or gift cards, store cards or vouchers (whether reloadable or not), that can be used to purchase alcoholic beverages or gambling services |
| 2 | A business from which purchases may be made via online transactions or without the need to present a debit card, and the transaction involving money in a welfare restricted bank account is proposed to be made without presenting a welfare restricted bank account debit card |
|  |  |

Schedule 3— Declared kinds of business pursuant to s 124PQ(2) of the Act — By Merchant Category

|  |  |  |
| --- | --- | --- |
| Item | MCC Code | Description |
| 1 | 4829 | Quasi Cash - Wire Transfer Money Order |
| 2 | 5309 | Duty Free Stores |
| 3 | 5813 | Drinking Places (Alcoholic Beverages) - Bars, Taverns, Nightclubs, Cocktail Lounges, and Discotheques |
| 4 | 5921 | Package Stores--Beer, Wine, and Liquor |
| 5 | 6010 | Financial Institutions--Manual Cash Disbursements |
| 6 | 6011 | Financial Institutions--Automated Cash Disbursements |
| 7 | 6012 | Quasi Cash - Financial Institution - Merchandise and Services |
| 8 | 6050 | Quasi Cash - Member Financial Institution |
| 9 | 6051 | MasterCard - Quasi Cash-Merchant; Visa- None Financial Institutions - foreign currency, money orders (not wire transfer), & Travelers Cheques |
| 10 | 6211 | Securities - Brokers and Dealers |
| 11 | 6529 | Quasi Cash - Remote Stored Value Load - Financial Institute |
| 12 | 6530 | Quasi Cash - Remote Stored Value Load - Merchant |
| 13 | 6531 | Payment Service Provider |
| 14 | 6534 | Quasi Cash - Money Transfer - Member Financial Institution |
| 15 | 7511 | Quasi Cash - Truck Stop Transactions |
| 16 | 7778 | Citishare Cash Advance |
| 17 | 7932 | Billiards & Pool Establishments |
| 18 | 7995 | Betting, including Lottery Tickets, Casino Gaming Chips, Off- Track Betting, and Wagers at Race Track |
| 19 | 9754 | Quasi Cash - Gambling-Horse Racing, Dog Racing, State Lotteries |

Schedule 4— Declared kinds of business pursuant to s 124PQ(2) of the Act — By Australian New Zealand Standard Industrial Classification (ANZSIC) codes

|  |  |  |
| --- | --- | --- |
| Item | ANZSIC code | Description |
| 1 | 1212 | Beer Manufacturing |
| 2 | 1213 | Spirit Manufacturing |
| 3 | 1214 | Wine and Other Alcoholic Beverage Manufacturing |
| 4 | 3606 | Liquor and Tobacco Product Wholesaling |
| 5 | 4123 | Liquor Retailing |
| 6 | 4520 | Pubs, Taverns and Bars |
| 7 | 9201 | Casino Operation |
| 8 | 9202 | Lottery Operation |
| 9 | 9209 | Other Gambling Activities |

Schedule 5— Declared kinds of business pursuant to s 124PQ(2) — By reference to terminal identification codes

|  |  |  |
| --- | --- | --- |
| Item | Terminal identification code | Description |
| 1 | 14307200 | Bistro Bar 1 at the Ceduna Foreshore Hotel Motel |
| 2 | 15004500 | Bistro Bar 2 at the Ceduna Foreshore Hotel Motel |
| 3 | 15003900 | Saloon Bar at the Ceduna Foreshore Hotel Motel |
| 4 | 15004000 | Saloon Bar 1 at the Ceduna Foreshore Hotel Motel |
| 5 | 15002100 | Saloon Bar 2 at the Ceduna Foreshore Hotel Motel |
| 6 | 15003800 | Bottlo 1 at the Ceduna Foreshore Hotel Motel |
| 7 | 15004600 | Bottlo 2 at the Ceduna Foreshore Hotel Motel |
| 8 | 15001900 | Function Room at the Ceduna Foreshore Hotel Motel |
| 9 | 08185210 | Thevenard Hotel |
| 10 | P2092318 | Nullarbor Roadhouse |
| 11 | 81919946 | Emma Gorge - El Questro |
| 12 | 81946758 | Hotel Kununurra |
| 13 | 81945869 | Hotel Kununurra |
| 14 | 64939678 | Hotel Kununurra |
| 15 | 81946861 | Hotel Kununurra |
| 16 | 81946761 | Hotel Kununurra |
| 17 | 81946764 | Hotel Kununurra |
| 18 | 81946865 | Hotel Kununurra |
| 19 | 81911536 | Hotel Kununurra |
| 20 | 81919946 | El Questro Station |
| 21 | 86212300 | Pumphouse Restaurant |
| 22 | 46339200 | Drysdale River Station |
| 23 | 1, 2, 3, 4,  K6C242 | Lake Argyle Resort |
| 24 | 46188900 | Lake Argyle Resort |
| 25 | 46189700 | Lake Argyle Resort |
| 26 | 07905005 | Smoky Bay Community Club |
| 27 | 07785075 | Ceduna Motor Inn |
| 28 | P3611003 | Penong Hotel |
| 29 | 26741300 | Utakarra IGA |
| 30 | 26741100 | Utakarra IGA |

Schedule 6— Declared kinds of business pursuant to s 124PQ(2) — By reference to card accepted identification codes

|  |  |  |
| --- | --- | --- |
| Item | Card accepted identification code | Description |
| 1 |  |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| 5 |  |  |

Schedule 7— Declared kinds of business pursuant to s 124PQ(2) — By reference to BPAY biller codes

|  |  |  |
| --- | --- | --- |
| Item | BPAY Biller code | Description |
| 1 | 112615 | Purchase of on-line ‘money orders’ at Australia Post |

Schedule 8—Terms and conditions relating to the establishment, ongoing maintenance and closure of welfare restricted bank accounts

(1)            A welfare restricted bank account can only be:

(a)       opened in a single name; and

(b)       operated by the sole holder of the account.

(2)            A debit card will be provided to the holder of a welfare restricted bank account.

(3)            Any amount of money can be deposited into a welfare restricted bank account.

(4)            Cash cannot be withdrawn from a welfare restricted bank account, whether through the use of a debit card attached to the account or by other methods of withdrawal.

(5)            Systems are in place which, so far as possible, prevent money in a welfare restricted bank account, and a debit card attached to that account, being used to purchase:

(a)       alcoholic beverages; or

(b)       gambling; or

(c)       gift cards, store cards or vouchers (whether reloadable or not), where those gift cards, store cards or vouchers allow for the purchase of alcoholic beverages or gambling.

(6)            Systems are in place which, so far as possible, prevent a trial participant or voluntary participant transferring money from a welfare restricted bank account to another bank account that is not a welfare restricted bank account unless the money is transferred for a purpose other than enabling the trial participant or voluntary participant to access cash or obtain excluded goods or services.

(7)            The debit card attached to the welfare restricted bank account may be used to purchase goods or services over the telephone or internet, or without presenting the debit card only if systems are in place to prevent the card being used in this way to purchase excluded goods or services.

(8)            Fees may not be charged in relation to depositing money into a welfare restricted bank account, or in relation to providing an initial debit card.

(9)            Interest cannot be charged on a balance in a welfare restricted bank account that is less than zero.

(10)          Interest cannot be paid on a balance in a welfare restricted bank account.

(11)          A welfare restricted bank account provided to a person may be closed during the trial period only if the person is not a trial participant.

(12)          A welfare restricted bank account cannot be used in an arrangement involving automatic drawing or withdrawal of monies by a third party that is based on BSB and account number.

(13)           Limitations will be placed on the amounts a trial participant or voluntary participant can spend using a debit card attached to the account.

(14)           Limitations will be placed on the amounts a particular holder of a welfare restricted bank account can transfer out of his or her welfare restricted bank account.