



## **Social Security (Assurances of Support) Amendment Determination 2018**

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I, Dan Tehan, Minister for Social Services, make the following determination.

Dated 23 May 2018

Dan Tehan  
Minister for Social Services

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## 1 Name of Determination

This instrument is the *Social Security (Assurances of Support) Amendment Determination 2018*.

## 2 Commencement

- (1) Each provision of this instrument 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. The whole of this instrument	Immediately after the commencement of the <i>Social Security (Assurances of Support) Determination 2018</i>	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under section 1061ZZGH of the *Social Security Act 1991*.

## 4 Schedule

Schedule 1 amends the *Social Security (Assurances of Support) Determination 2018*.

# Schedule 1 – Amendments

## *Social Security (Assurances of Support) Determination 2018*

### 1 After section 2

Insert:

#### 2A Repeal

This instrument is repealed on 31 March 2021.

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## 2 Subsection 5(1)

Insert:

*applicable supplement amount* has the meaning given by subclause 38A(2) of Schedule 1 to the Family Assistance Act.

*base FTB child rate* has the meaning given by clause 8 of Schedule 1 to the Family Assistance Act.

## 3 Subsection 5(1)

Repeal:

*newstart income cut-off amount* means the amount of ordinary income of a person beyond which the rate of newstart allowance would be reduced to nil.

## 4 Subsection 8(2)

Repeal the subsection, substitute:

- (2) The individual must be:
- (a) an adult; and
  - (b) an Australian resident.

## 5 Subsection 8(5)

Repeal the subsection.

## 6 Subsection 9(3)

Repeal the subsection, substitute:

- (3) A body other than a State agency must:
- (a) if the body is an unincorporated association — have an address in Australia and intend to maintain an address in Australia while any assurance of support given by the body remains in force; or
  - (b) if the body is a body corporate — be incorporated in Australia (within the meaning of the Corporations Act 2001) and intend to remain incorporated in Australia while any assurance of support given by the body remains in force.

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**7 Subsection 11(2)**

Repeal the subsection, substitute:

- (2) The individual must be:
- (a) an adult; and
  - (b) an Australian resident.

**8 Subsection 11(5)**

Repeal the subsection.

**9 Subsection 12(3)**

Repeal the subsection, substitute:

- (3) The body must:
- (a) if the body is an unincorporated association — have an address in Australia and intend to maintain an address in Australia while any assurance of support given by the body remains in force; or
  - (b) if the body is a body corporate — be incorporated in Australia (within the meaning of the Corporations Act 2001) and intend to remain incorporated in Australia while any assurance of support given by the body remains in force.

**10 Subsection 14(2)**

Repeal the subsection, substitute:

- (2) Subject to subsection (5), the income requirement is about providing evidence acceptable to the Secretary about the individual's assessable income for:
- (a) if the person does not have available evidence of assessable income for the first financial year - the current financial year, and the second financial year; and
  - (b) otherwise – the current financial year and the first financial year.

**11 Subsection 15(2)**

Repeal the subsection and the example which follows, substitute:

- (2) The individual meets the income requirement for a financial year if the amount of the individual's assessable income for the year is at least the total of:
- (a) the applicable rate of newstart allowance multiplied by the total of:
    - (i) one (representing the individual giving the assurance of support); and

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- (ii) the total number of adults receiving assurance under an assurance of support given by the person; and
  - (b) the amount obtained by adding together, for each child of the person giving assurance under an assurance of support:
    - (i) the base FTB child rate as at 1 July in the financial year; and
    - (ii) the applicable supplement amount as at 1 July in the financial year.

*Example*

If a person with 2 children applies to give an assurance of support for a migrating family of 2 parents and 2 children on 1 July 2017, the minimum required income amount of the person is the total of:

- \$45 186 (the applicable newstart allowance of \$15 062 multiplied by the total number of adult assurers and adult assurees (3)); and
- the base FTB child rate and the applicable supplement amount for each of the assurer's children.

The base FTB child rate and the applicable supplement are only added to the income requirement for the assurer's children. They do not apply to the children of the assurees.

## 12 Subsection 16(2)

Repeal the subsection and the example which follows, substitute:

- (2) The individual assurer meets the income requirement for a financial year if the combined amount of assessable income of the assurers for the year is at least the total of the following amounts:
  - (a) the applicable rate of newstart allowance multiplied by the total of:
    - (i) the total number of individuals giving assurance under the assurance of support; and
    - (ii) the total number of adults receiving assurance under an assurance of support given by the individual; and
  - (b) the amount obtained by adding together, for each child of an individual giving assurance under the assurance of support:
    - (i) the base FTB child rate as at 1 July in the financial year; and
    - (ii) the applicable supplement amount as at 1 July in the financial year.

*Example*

If a joint assurer (who has a partner and 2 children) gives an assurance of support with the partner for a migrating family of 2 parents and 2 children on 1 July 2017, the combined minimum required income of both assurers is the total of:

- \$60 248 (the applicable newstart allowance of \$15 062 multiplied by the total number of adult assurers and adult assurees (4)); and
- the base FTB child rate and the applicable supplement amount for each of the assurers' children.

The base FTB child rate and the applicable supplement are only added to the income requirement for the assurers' children. They do not apply to the children of the assurees.

## 13 Heading to Part 6

Repeal the heading to Part 6, substitute:



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## **Part 6—Value of securities**

### **14 Section 18**

Repeal the section, substitute:

### **18 Values of securities required for Secretary’s acceptance of assurances**

For the purposes of paragraph 1061ZZGD(3)(b) of the Act, this Part specifies the values of securities to be given for the Secretary to be permitted to accept assurances of support.

### **15 Subsection 19(2)**

Repeal the words before paragraph 19(2)(a), substitute:

(2) The following values of securities are specified:

### **16 Subsection 20(1)**

Repeal the words before paragraph 20(1)(a), substitute:

(1) The following values of securities are specified for an assurance of support given by a body (other than a State agency):

### **17 Subsection 20(2)**

Repeal the subsection, substitute:

(2) The value of securities specified for an assurance of support given by a State agency is in all instances nil.

### **18 Part 7**

Repeal the part.