

Social Security (Administration) Legislation Amendment and Repeal (Reasonable Excuse - Participation Payments) Determination 2018

I, KERRI HARTLAND, Secretary of the Department of Jobs and Small Business, make the following determination.

Dated 7 June 2018

K Hartland

KERRI HARTLAND

Secretary of the Department of Jobs and Small Business

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1 Name

 This instrument is the *Social Security (Administration) Legislation Amendment and Repeal (Reasonable Excuse - Participation Payments) 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 | 1 July 2018. |  |

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 42U(1) of the *Social Security (Administration) Act 1999*.

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Social Security (Reasonable Excuse – Participation Payment Obligations) (DEEWR) Determination 2009 (No. 1)

1 Cover page

Omit “made under subsection 42U(1) of the *Social Security (Administration) Act 1999*”.

2 Section 4 (definition of *Administration Act*)

Repeal the definition.

3 Section 5 (heading)

Omit “determining if”, substitute “deciding whether”.

4 Subsection 5(1)

Repeal the subsection, substitute:

1. For subsections 550(2A), 550B(2A), 576(2A), 576A(2A) of the 1991 Act, the matters set out in subsection (2) are matters that the Secretary must take into account in deciding whether a person has a reasonable excuse.

5 Subsection 5(3)

Omit “or the Administration Act”.

Schedule 2—Repeals

Social Security (Reasonable Excuse – Participation Payment Obligations) (FaHCSIA) Determination 2009 (No. 1)

1 The whole of the instrument

Repeal the instrument.