



# **Social Security (Administration) (Trial of Cashless Welfare Arrangements) (Declinable Transactions and Welfare Restricted Bank Account) Determination 2019**

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I, Bruce Taloni, Group Manager, Redress and Reform Group, as delegate of the Secretary of the Department of Social Services, make the following determination.

Dated 26 June 2019

Bruce Taloni  
Group Manager  
Redress and Reform Group  
Department of Social Services

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## Part 1—Preliminary

### 1 Name

This instrument is the *Social Security (Administration) (Trial of Cashless Welfare Arrangements) (Declinable Transactions and Welfare Restricted Bank Account) Determination 2019*.

### 2 Commencement

This instrument commences on the day after it is registered.

### 3 Authority

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

### 4 Definitions

Note: A number of expressions used in this instrument are defined in Part 3D of the Act, including the following:

- (a) restrictable payment;
- (b) trial participant;
- (c) voluntary participant;
- (d) cash-like product.

In this instrument:

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

*excluded goods or services* means goods or services mentioned in items 5(a), 5(b) and 5(c) of Schedule 5 to this instrument.

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

*Merchant Category codes* means the merchant category codes under ISO 18245:2003 of the International Organisation for Standardisation as in force at the commencement of this instrument.

*Australian and New Zealand Standard Industrial Classification codes* means the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006 as in force at the commencement of this instrument.

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

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

### 5 Repeal

The instrument specified in Schedule 1 to this instrument is repealed as set out in that Schedule.



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## **Part 2—Declinable Transactions**

### **6 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 or Schedule 4 to this instrument are the kinds of businesses in relation to which transactions involving money in a welfare restricted bank account may be declined by a financial institution.

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## **Part 3—Welfare Restricted Bank Account**

### **7 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.

### **8 Terms and conditions of welfare restricted bank account**

For the purposes of subsection 124PP(2) of the Act, the terms and conditions relating to a welfare restricted bank account includes the terms and conditions set out in Schedule 5 to this instrument.



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## **Schedule 1—Repeal**

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

#### **1 The whole of the instrument**

Repeal the instrument

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## **Schedule 2—Declared kinds of business pursuant to subsection 124PQ(2)—By description**

<b>Item</b>	<b>Description</b>
1	A business which sells alcoholic beverages, gambling services or a cash-like product that could be used to obtain alcoholic beverages or gambling services.
2	A business from which purchases may be made through 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.

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### **Schedule 3—Declared kinds of business pursuant to subsection 124PQ(2)—By Merchant Category codes**

<b>Item</b>	<b>MCC Code</b>	<b>Description</b>
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	Member Financial Institution—Manual Cash Disbursements
6	6011	Member Financial Institution—Automated Cash Disbursements
7	6012	Quasi Cash—Member Financial Institution—Merchandise and Services
8	6050	Quasi Cash—Member Financial Institution
9	6051	Non-Financial Institutions—Foreign Currency, Money Orders (not wire transfer) and Travelers Cheques
10	6211	Securities—Brokers and Dealers
11	6529	Quasi Cash—Remote Stored Value Load—Financial Institution
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	Pool and Billiard Establishments
18	7995	Gambling Transactions and 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

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**Schedule 4—Declared kinds of business pursuant to subsection 124PQ(2)—By Australian and New Zealand Standard Industrial Classification (ANZSIC) codes**

<b>Item</b>	<b>ANZSIC code</b>	<b>Description</b>
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

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## **Schedule 5—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) a cash-like product that could be used to obtain 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.
- (8) Fees may not be charged in relation to depositing money into a welfare restricted bank account, or in relation to providing a debit card attached to a welfare restricted bank account to a trial participant or voluntary participant.
- (9) Interest cannot be charged on a balance in a welfare restricted bank account that is less than zero.
- (10) 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.

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- (11) A welfare restricted bank account may be used in an arrangement involving automatic drawing or withdrawal of monies by a third party that is based on BSB and account number.
  - (12) Limitations may be placed on the amounts a trial participant or voluntary participant can spend using a debit card attached to his or her welfare restricted bank account.
  - (13) Limitations may 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.
  - (14) Limitations may be placed on a welfare restricted bank account and a debit card attached to that bank account to prevent money in the bank account being used to purchase excluded goods or services.