



Social Security (Administration) (Exempt Welfare Payment Recipients – Principal Carers of a Child) (Indications of Financial Vulnerability) Principles 2020

I, Anne Ruston, Minister for Families and Social Services, make the following Principles.

Dated 25 September 2020

Senator the Hon Anne Ruston
Minister for Families and Social Services

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Part 1—Preliminary

1 Name

This instrument is the *Social Security (Administration) (Exempt Welfare Payment Recipients – Principal Carers of a Child) (Indications of Financial Vulnerability) Principles 2020*.

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	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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 123UGD(5) of the *Social Security (Administration) Act 1999*.

4 Definitions

- (1) In this instrument:

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

Centrepay means the voluntary deduction service provided by Services Australia under section 61A of the Act.

priority needs has the meaning given by section 123TH of the Act.

relevant period means, in relation to a person, the 12-month period mentioned in paragraph 123UGD(1)(d) of the Act as it applies to that person.

social security entitlement has the meaning given by subsection 23(1) of the *Social Security Act 1991*.

specified dependants means, in relation to a person, the following:

- (a) a child of the person;
- (b) the person's partner;
- (c) any other dependants of the person.

strategies include:

- (a) tools (however described); and
- (b) training (however described).

- (2) For the purposes of section 7 of this instrument, a person (the first person) is experiencing *financial exploitation*, if another person, or any entity (whether or not it has a legal personality):
- (a) has acquired; or
 - (b) has attempted to acquire; or
 - (c) is attempting to acquire;
- possession of, control of or the use of, or an interest in, some or all of the first person's financial resources, through the use of undue pressure, harassment, violence, abuse, deception, duress, fraud and exploitation.

5 Principles

For subsection 123UGD(5) of the Act, the decision-making principles are set out in Part 2 of this instrument.

6 Schedule

The instrument that is specified in Schedule 1 to this instrument is repealed as set out in the Schedule.

Part 2—Decision-Making Principles

7 Financial exploitation

The Secretary must consider whether the person experienced financial exploitation during the relevant period.

8 Priority needs

The Secretary must consider:

- (a) the priority needs, during the relevant period, of the person and the person's specified dependants (if any); and
- (b) whether, during the relevant period, the person was applying appropriate resources to meet some or all of those priority needs.

9 Money management strategies

The Secretary must consider:

- (a) what, if any, strategies (however described) the person used, during the relevant period, to manage their financial resources; and
- (b) whether it is likely that the person will continue to use those strategies, or similar strategies, to manage their financial resources in the foreseeable future.

Examples for paragraph (a)

- A personal or household budget.
- A financial plan.
- Paying bills or other expenses through Centrepay.
- Paying bills or other expenses by direct debit from a bank account.
- Arrange to pay major bills or debts by instalments.
- Undertaking a course to learn or update financial skills.
- Using lay-by services.
- Using a BasicsCard as part of an income management arrangement under Part 3B of the Act.

10 Changes to welfare payment arrangements

Urgent payments

(1) The Secretary must consider:

- (a) whether the person received more than one payment in relation to their social security entitlement in any fortnight during the relevant period, and the reasons for each of those payments; and
- (b) if the person requested that he or she be paid as described in paragraph (a) during the relevant period, and that request was rejected, the reasons for each rejection.

Changes to payment payday

- (2) The Secretary must consider how many times (if ever) the person requested that his or her usual social security payment payday be changed during the relevant period, and the reasons for each request.

Schedule 1—Repeals

Social Security (Administration) (Exempt Welfare Payment Recipients Persons with Dependent Children) (Indications of Financial Vulnerability) Principles 2010

1 The whole of the instrument

Repeal the instrument.