



Social Security (Administration) (Weekly Payments – Class of Persons) Specification 2020

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

Dated 24 September 2020

Anne Ruston
Minister for Families and Social Services

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1 Name

This instrument is the *Social Security (Administration) (Weekly Payments – Class of Persons) Specification 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Note: This table relates only to the provisions of this instrument as originally made.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 43(3B) of the *Social Security (Administration) Act 1999*.

4 Definitions

In this instrument:

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

5 Schedules

Each instrument that is specified in the Schedule to this instrument is repealed as set out in the applicable items in the Schedule, and any other item in the Schedule to this instrument has effect according to its terms.

6 Class of persons

- (1) For subsection 43(3A) of the Act, the class of persons who meet all of the following criteria is specified:
- (a) the person is an Australian resident living in Australia;
 - (b) the person is receiving one of the social security periodic payments mentioned in subsection (2);

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- (c) the person would benefit from having their social security periodic payment paid as described in subsection 43(3A) of the Act, including in the circumstances specified in subsection (3);
 - (d) the person has requested the Secretary that they be paid their social security periodic payment in accordance with subsection 43(3A) of the Act and the person has not revoked that request.
- (2) For the purposes of paragraph (1)(b), the social security periodic payments are:
- (a) age pension;
 - (b) disability support pension;
 - (c) carer payment;
 - (d) special benefit;
 - (e) widow allowance;
 - (f) parenting payment;
 - (g) youth allowance;
 - (h) austudy payment;
 - (i) partner allowance;
 - (j) jobseeker payment.
- (3) A person is taken to benefit from having their social security payment paid in accordance with subsection 43(3A) of the Act if:
- (a) the person does not have access to safe, secure and adequate housing, including in the circumstances specified in subsection (4); or
 - (b) the person is using emergency accommodation or is a refugee; or
 - (c) the person is financially vulnerable and significantly disadvantaged.
- (4) A person is taken not to have access to safe, secure and adequate housing if:
- (a) the housing to which the person currently has access:
 - (i) damages, or is likely to damage, the person's health;
 - (ii) threatens or is likely to threaten the person's safety; or
 - (iii) does not provide the person with access to a reasonably level of personal amenities or the economic and social support that housing normally affords; or
 - (b) in the circumstances, the adequacy, safety, security, or affordability of the housing to which the person currently has access is adversely affected or may be adversely affected; or
 - (c) the person does not have a right to remain, or a reasonable expectation of being able to remain, in the housing to which the person currently has access.

Schedule 1—Repeals

Social Security (Administration) (Weekly Payments – Class of Persons) (FaHCSIA) Specification 2010

1 The whole of the instrument

Repeal the instrument.

Social Security (Administration) (Weekly Payments – Classes of Persons) (DEEWR) Specification 2010

2 The whole of the instrument

Repeal the instrument.