



## **Social Security (Administration) (Ending Unemployment Non-payment Periods — Classes of Persons) Specification 2021**

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I, Nadine Williams, Acting Secretary of the Department of Education, Skills and Employment, make this instrument.

Dated 20 September 2021

Nadine Williams  
A/g Secretary of the Department of Education, Skills and Employment



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## 1 Name

This instrument is the *Social Security (Administration) (Ending Unemployment Non-payment Periods — Classes of Persons) Specification 2021*.

## 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 the 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Note: This table relates only to the provisions of this instrument as originally made.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 42S(5) of the *Social Security (Administration) Act 1999*.

## 4 Definitions

In this instrument:

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

*dependent child* has the meaning given by section 5 of the *Social Security Act 1991*.

## 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Each instrument that is specified in the Schedule to this instrument is repealed as set out in the applicable items in the Schedule.

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## 6 Specification of classes of persons

- (1) For paragraph 42S (4) (b) of the Act, the following classes of persons are specified:
  - (a) persons with a dependent child;
  - (b) persons who have significant family or caring responsibilities;
  - (c) persons who have an illness, impairment or condition that requires treatment, and who cannot afford the treatment after meeting their essential expenses;
  - (d) persons who have a cognitive, neurological, psychiatric or psychological impairment or mental illness that has been established by medical evidence;
  - (e) persons who do not have access to safe, secure and adequate housing, or are using emergency accommodation or a refuge.
- (2) Without limiting paragraph (1) (e), a person is taken not to have access to safe, secure, and adequate housing if:
  - (a) the housing to which the person has access:
    - (i) damages, or is likely to damage, the person's health; or
    - (ii) threatens or is likely to threaten the person's safety; or
    - (iii) does not provide the person with access to a reasonable 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 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 has access.

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## Schedule 1—Repeals

### *Social Security (Administration) (Ending Unemployment Non-payment Periods— Classes of Persons) (FaHCSIA) Specification 2009 (No. 1)*

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

Repeal the instrument

### *Social Security (Administration) (Ending Unemployment Non-payment Periods— Classes of Persons) (DEEWR) Specification 2009 (No. 1)*

#### **2 The whole of the instrument**

Repeal the instrument