



Social Security Legislation Amendment (Technical Changes) Act 2025

No. 6, 2025

**An Act to amend the law relating to social security,
and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 6, 2025

**An Act to amend the law relating to social security,
and for related purposes**

[Assented to 14 February 2025]

The Parliament of Australia enacts:

1 Short title

This Act is the *Social Security Legislation Amendment (Technical Changes) Act 2025*.

2 Commencement

- (1) Each provision of this Act 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 Act	The day after this Act receives the Royal Assent.	15 February 2025

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Dependent youth rate for disability support pension

Part 1—Amendments

Social Security Act 1991

1 Subsection 1067A(12)

Omit “A person is independent”, substitute “For the purposes of this Part and Parts 2.11, 2.11B and 3.7 (except sections 1070F and 1070N), a person is independent”.

Part 2—Validation and application provisions

2 Validation—disability support pension rate for people with partial capacity to work

- (1) This item applies if:
- (a) a thing was done, or purportedly done, under a law of the Commonwealth before the commencement of this item; and
 - (b) the thing was done, or purportedly done, on the basis that a person was not independent for the purposes of working out:
 - (i) the maximum basic rate of disability support pension that was or would be payable to the person; or
 - (ii) whether the person qualified for rent assistance because the person complied with subsection 1070F(2) of the *Social Security Act 1991*; or
 - (iii) the rate of rent assistance payable to the person under section 1070N of that Act; and
 - (c) the thing done, or purportedly done, would, apart from this item, be wholly or partly invalid or ineffective only because the person was in fact independent for the purposes of working out the matter mentioned in subparagraph (b)(i), (ii) or (iii) of this subitem; and
 - (d) the person was independent for that purpose only because of subsection 1067A(12) of that Act.
- (2) The thing done, or purportedly done, is taken for all purposes to be valid and effective, and to have always been valid and effective.
- (3) To avoid doubt, anything else done or purportedly done before the commencement of this item that would, apart from subitem (2), be wholly or partly invalid or ineffective is taken for all purposes to be, and to have always been, valid and effective.
- (4) To avoid doubt, subitems (2) and (3) apply despite any effect they may have on the accrued rights of any person.

3 Application of amendments

- (1) Section 1067A of the *Social Security Act 1991*, as amended by this Act, applies on and after the commencement of this item in relation to
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working out the rate of a person's disability support pension in respect of days occurring before, on or after that commencement.

- (2) However, section 1067A of the *Social Security Act 1991*, as in force immediately before that commencement, continues to apply on and after that commencement in relation to working out the rate of a person's disability support pension in respect of a day occurring before that commencement if:
- (a) a determination of that rate, made under the social security law before that commencement, was in effect on that day; and
 - (b) the determination was made on the basis that the person was independent for the purposes of working out that rate for that day.
- (3) Except to the extent provided by subitems (1) and (2), section 1067A of the *Social Security Act 1991*, as amended by this Act, applies on and after the commencement of this item in relation to the doing of a thing under a law of the Commonwealth that requires the working out of the maximum basic rate of disability support pension:
- (a) that is or would be payable to a person on or after that commencement; or
 - (b) that was or would have been payable to a person before that commencement.
- (4) To avoid doubt, subitems (1) to (3) have effect:
- (a) whether the person's claim for disability support pension is made or granted before, on or after the commencement of this item; and
 - (b) even if the working out is done in connection with the review of a decision (including, without limitation, review under section 126 or 129 of the *Social Security (Administration) Act 1999* or review by the ART).

[Minister's second reading speech made in—
House of Representatives on 5 February 2025
Senate on 12 February 2025]

(8/25)
