Social Security Legislation Amendment Bill 2011

No. , 2011

(Families, Housing, Community Services and Indigenous Affairs)

A Bill for an Act to amend the law relating to social security, and for related purposes
Contents

1 Short title........................................................................................................1
2 Commencement..............................................................................................1
3 Schedule(s)...................................................................................................2

Schedule 1—Income management

Part 1—State/Territory referrals

Social Security Act 1991
Social Security (Administration) Act 1999

Part 2—Other amendments

Social Security (Administration) Act 1999

Schedule 2—School attendance plans

Social Security (Administration) Act 1999

i  Social Security Legislation Amendment Bill 2011  No.  , 2011
A Bill for an Act to amend the law relating to social security, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the Social Security Legislation Amendment Act 2011.

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

<table>
<thead>
<tr>
<th>Provision(s)</th>
<th>Commencement</th>
<th>Date/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table</td>
<td>The day this Act receives the Royal Assent.</td>
<td></td>
</tr>
<tr>
<td>2. Schedule 1</td>
<td>The later of:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) 1 July 2012; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) the 28th day after this Act receives the Royal Assent.</td>
<td></td>
</tr>
<tr>
<td>3. Schedule 2</td>
<td>The later of:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) 1 July 2012; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) the day this Act receives the Royal Assent.</td>
<td></td>
</tr>
</tbody>
</table>

Note: This table relates only to the provisions of this Act as originally enacted.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 Schedule(s)

Each Act 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—Income management

Part 1—State/Territory referrals

Social Security Act 1991

1 Paragraph 1061WG(1)(c)

Omit “or 123UE”, substitute “, 123UE or 123UFAA”.

Social Security (Administration) Act 1999

2 Section 123TA

After:

(g) the Queensland Commission requires the person to
be subject to the income management regime; or

insert:

(ga) an officer or employee of a recognised
State/Territory authority requires the person to be
subject to the income management regime; or

3 Section 123TC

Insert:

recognised State or Territory has the meaning given by
section 123TGAB.

4 Section 123TC

Insert:

recognised State/Territory authority has the meaning given by
section 123TGAA.

5 Section 123TC (definition of subject to the income
management regime)
After “123UF”, insert “, 123UFAA”.

6 After section 123TG

Insert:

123TGAA Recognised State/Territory authority

The Minister may, by legislative instrument, determine that:
(a) a specified department, or a specified part of a department, of a State or Territory; or
(b) a specified body of a State or Territory; or
(c) a specified agency of a State or Territory;
is a recognised State/Territory authority for the purposes of this Part.

123TGAB Recognised State or Territory

The Minister may, by legislative instrument, determine that a specified State or Territory is a recognised State or Territory for the purposes of this Part.

7 Paragraph 123UCA(e)

Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

8 Paragraph 123UCB(1)(f)

Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

9 Paragraph 123UCC(1)(f)

Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

10 After section 123UF

Insert:

123UFAA Persons subject to the income management regime—other State/Territory referrals

(1) For the purposes of this Part, a person is subject to the income management regime at a particular time (the test time) if:
(a) at the test time, the person, or the person’s partner, is an eligible recipient of a category H welfare payment; and
(b) before the test time, an officer or employee of a recognised State/Territory authority gave the Secretary a written notice requiring that the person be subject to the income management regime under this section; and

(c) the notice was given:
   (i) under a law (whether written or unwritten) in force in a State or Territory (other than a law of the Commonwealth); or
   (ii) in the exercise of the executive power of a State or Territory; and

(d) at the test time, the notice had not been withdrawn or revoked; and

(e) at the test time, the State or Territory is a recognised State or Territory; and

(f) if, at the test time, the person has a Part 3B payment nominee—the Part 3B payment nominee is not an excluded Part 3B payment nominee; and

(g) at the test time, the person is not subject to the income management regime under section 123UC, 123UD, 123UE or 123UF.

(2) For the purposes of this Part, a person is subject to the income management regime at a particular time (the test time) if:

(a) at the test time, the person is not subject to the income management regime under any other provision of this Subdivision; and

(b) at the test time, the person has a Part 3B payment nominee; and

(c) at the test time, the Part 3B payment nominee is subject to the income management regime under subsection (1).

11 Paragraph 123UM(5)(a)
Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

12 Subparagraph 123UN(1)(a)(v)
Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

13 Subparagraph 123UO(3)(b)(v)
Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

Social Security Legislation Amendment Bill 2011  No. , 2011  5
14 **Paragraphs 123WJ(1)(c) and (d)**

Omit “or 123UF”, substitute “, 123UF or 123UFAA”.

15 **After Subdivision D of Division 5 of Part 3B**

Insert:

**Subdivision DAA—Other State/Territory referrals**

123XPAA **Deductions from category I welfare payments—instalments**

**Scope**

(1) This section applies if:

(a) a person is subject to the income management regime under section 123UFAA; and

(b) an instalment of a category I welfare payment is payable to the person.

**Deductions from category I welfare payments—instalments**

(2) The following provisions have effect:

(a) the Secretary must deduct from the instalment of the category I welfare payment the deductible portion of the instalment;

(b) an amount equal to the deductible portion of the instalment is credited to the Income Management Record;

(c) an amount equal to the deductible portion of the instalment is credited to the person’s income management account.

**Deductible portion**

(3) For the purposes of subsection (2), the **deductible portion** of an instalment of a category I welfare payment is:

(a) 70%; or

(b) if another percentage (not exceeding 100%) is specified in a legislative instrument made by the Minister for the purposes of this paragraph—the other percentage;

of the net amount of the instalment (rounded down to the nearest cent).
(4) An instrument under paragraph (3)(b) may specify different
percentages depending on one or more of the following:
(a) the category I welfare payments payable to persons subject to
the income management regime under section 123UFAA;
(b) the usual place of residence of those persons;
(c) the recognised State/Territory authorities whose officers or
employees may give a notice of the kind referred to in
paragraph 123UFAA(1)(b).

123XPAB Deductions from category I welfare payments—lump
sums

Scope

(1) This section applies if:
(a) a person is subject to the income management regime under
section 123UFAA; and
(b) a category I welfare payment is payable to the person
otherwise than by instalments.

Deductions from category I welfare payments—lump sums

(2) The following provisions have effect:
(a) the Secretary must deduct from the category I welfare
payment the deductible portion of the payment;
(b) an amount equal to the deductible portion of the payment is
credited to the Income Management Record;
(c) an amount equal to the deductible portion of the payment is
credited to the person’s income management account.

Deductible portion

(3) For the purposes of subsection (2), the deductible portion of a
category I welfare payment is:
(a) 100%; or
(b) if a lower percentage is specified in a legislative instrument
made by the Minister for the purposes of this paragraph—the
lower percentage;

of the net amount of the payment (rounded down to the nearest
cent).
(4) An instrument under paragraph (3)(b) may specify different percentages depending on one or more of the following:
(a) the category I welfare payments payable to persons subject to the income management regime under section 123UFAA;
(b) the usual place of residence of those persons;
(c) the recognised State/Territory authorities whose officers or employees may give a notice of the kind referred to in paragraph 123UFAA(1)(b).

16 After section 123ZD

Insert:

123ZDA Other State/Territory referrals—notice of cancellation of category H welfare payments

Scope

(1) This section applies if:
(a) a person ceases to be subject to the income management regime under section 123UFAA because of the cancellation of a category H welfare payment of the person or the person’s partner; and
(b) immediately before the cancellation, the relevant notice referred to in paragraph 123UFAA(1)(b) had not been withdrawn or revoked.

Notice

(2) As soon as practicable after the cancellation, the Secretary must give an officer or employee of the recognised State/Territory authority written notice of the cancellation.

17 After section 123ZEA

Insert:

123ZEEA Disclosure of information to the Secretary—other State/Territory referrals

(1) Despite any law (whether written or unwritten) in force in a State or Territory, an officer or employee of a recognised State/Territory authority may give the Secretary information about a person if:
Income management  
Schedule 1  
State/Territory referrals  
Part 1

(a) either:
(i) the person is subject to the income management regime under section 123UFAA; or
(ii) the officer or employee is considering whether to give a notice of the kind referred to in paragraph 123UFAA(1)(b) in relation to the person; and
(b) the disclosed information is relevant to the operation of this Part.

(2) If information about a person is disclosed as mentioned in subsection (1), the Secretary may disclose information about the person to an officer or employee of the recognised State/Territory authority for the purposes of the performance of the functions and duties, or the exercise of the powers, of the officer or employee.

18 Application  
Paragraph 123UFAA(1)(b) of the Social Security (Administration) Act 1999, as inserted by this Schedule, applies in relation to notices given on or after the commencement of this item.
Schedule 1  Income management
Part 2  Other amendments

Part 2—Other amendments

Social Security (Administration) Act 1999

19 Section 123TC (definition of declared income management area)
   Repeal the definition.

20 Section 123TFA
   Repeal the section.

21 Section 123UCA
   Before “For”, insert “(1)”.

22 Paragraph 123UCA(b)
   Repeal the paragraph, substitute:
   (b) at the test time, the person’s usual place of residence is within a State, a Territory or an area specified in an instrument under subsection (3); and

23 At the end of section 123UCA
   Add:
   (2) If:
   (a) a person is subject to the income management regime under subsection (1); and
   (b) paragraph (1)(b) ceases to apply in relation to the person; and
   (c) at the time of that cessation, paragraphs (1)(a), (c), (d) and (e) apply in relation to the person;
then the person remains subject to the income management regime under subsection (1) until paragraph (1)(a), (c), (d) or (e) ceases to apply in relation to the person.

(3) The Minister may, by legislative instrument, specify a State, a Territory or an area for the purposes of this section.

24 Paragraph 123UCB(1)(c)
Repeal the paragraph, substitute:

(c) at the test time, the person’s usual place of residence is
   within a State, a Territory or an area specified in an
   instrument under subsection (4); and

25 At the end of section 123UCB

Add:

(3) If:
   (a) a person is subject to the income management regime under
       subsection (1); and
   (b) paragraph (1)(c) ceases to apply in relation to the person; and
   (c) at the time of that cessation, paragraphs (1)(a), (b), (d), (e),
       and (f) apply in relation to the person;

   then the person remains subject to the income management regime
   under subsection (1) until the earlier of the following:
   (d) the time paragraph (1)(a), (b), (d), (e), or (f) ceases to apply
       in relation to the person;
   (e) the end of the period of 13 weeks beginning on the day that
       paragraph (1)(c) ceased to apply in relation to the person.

   (4) The Minister may, by legislative instrument, specify a State, a
       Territory or an area for the purposes of this section.

26 Paragraph 123UCC(1)(c)

Repeal the paragraph, substitute:

(c) at the test time, the person’s usual place of residence is
   within a State, a Territory or an area specified in an
   instrument under subsection (4); and

27 At the end of section 123UCC

Add:

(3) If:
   (a) a person is subject to the income management regime under
       subsection (1); and
   (b) paragraph (1)(c) ceases to apply in relation to the person; and
   (c) at the time of that cessation, paragraphs (1)(a), (b), (d), (e),
       and (f) apply in relation to the person;
then the person remains subject to the income management regime under subsection (1) until the earlier of the following:
(d) the time paragraph (1)(a), (b), (d), (e), or (f) ceases to apply in relation to the person;
(e) the end of the period of 13 weeks beginning on the day that paragraph (1)(c) ceased to apply in relation to the person.

(4) The Minister may, by legislative instrument, specify a State, a Territory or an area for the purposes of this section.

28 Subparagraph 123UGD(1)(b)(i)
Repeal the subparagraph, substitute:
(i) at the test time, the child is enrolled at a school, and, in each of the 2 school terms ending immediately before that time, the child has had no more than 5 absences for reasons that are not satisfactory to a person responsible for the operation of the school; or
(ia) at the test time, the child is enrolled at a school, and, in each of the 2 school terms ending immediately before that time, the child has had more than 5 absences for reasons that are not satisfactory to a person responsible for the operation of the school but the person is taking reasonable steps to ensure that the child attends school as required by the law of the State or Territory concerned; or

29 Subsection 123UGD(7) (heading)
Repeal the heading, substitute:
Definitions

30 Subsection 123UGD(7)
Insert:
person responsible, for the operation of a school, has the same meaning as in Part 3C.

31 Subparagraph 123UO(3)(b)(ii)
Repeal the subparagraph.

32 Application
The amendment made by item 31 applies in relation to voluntary income management agreements that are in force on or after the commencement of that item (whether the agreements were entered into before, on or after that commencement).
Schedule 2—School attendance plans

Social Security (Administration) Act 1999

1 Paragraph 37AA(1)(b)
   Omit “or 124L(1)”, substitute “, 124L(1) or 124NE(1)”.

2 Section 37AA (at the end of note 2)
   Add “Section 124NE provides that a schooling requirement payment is
   not payable to a person if he or she fails to comply with a compliance
   notice (subject to exceptions in that section).”.

3 Section 37AA (note 3)
   Omit “section 124H or 124M (because of the application of subsection
   124G(1) or 124L(1))”, substitute “section 124H, 124M or 124NF
   (because of the application of subsection 124G(1), 124L(1) or
   124NE(1))”.

4 Paragraph 85(1)(a) (note)
   Omit “and 124N”, substitute “, 124N and 124NG”.

5 Paragraph 123(1)(c)
   Omit “or 124M”, substitute “, 124M or 124NF”.

6 Subsection 124(2)
   Repeal the subsection, substitute:

   (2) If this Part ceases to apply to a person while the person’s schooling
   requirement payment is suspended under this Part, then, despite
   that cessation, section 124J, 124N or 124NG, as the case requires,
   is taken to apply in relation to the person and, for this purpose, the
   reconsideration day for the purposes of that section is taken to be
   the day of that cessation.

   Note: Sections 124J, 124N and 124NG deal with when payments become
   payable after suspension.

7 Section 124A
   Before “In”, insert “(1)”.

Social Security Legislation Amendment Bill 2011  No. 1, 2011
8 Section 124A (before paragraph (a) of the definition of 
person responsible)
Insert:
(aa) a person included in a class of persons specified in an 
instrument under subsection (2); and

9 At the end of section 124A
Add:
(2) The Minister may, by legislative instrument, specify a class of 
persons for the purposes of paragraph (aa) of the definition of 
person responsible in subsection (1).

10 Division 3 of Part 3C (heading)
Repeal the heading, substitute:
Division 3—School attendance notices

11 After Division 3 of Part 3C
Insert:
Division 3A—School attendance plans

124NA When this Division applies
This Division applies if:
(a) a schooling requirement person’s child is enrolled at a school 
in a State or Territory; and
(b) a person responsible for the operation of the school gives the 
Secretary written notice that the child is failing to attend 
school, as required by the law of that State or Territory, to the 
satisfaction of the person responsible.

124NB Conference notices
The Secretary (the notifier), or a person responsible for the 
operation of the school (the notifier), may give a notice to the 
schooling requirement person specifying the following:
(a) the person is required to attend a conference with a specified 
person at a specified place and time;
Schedule 2 School attendance plans

(b) the purpose of the conference is to discuss the child’s school attendance;
(c) the person is required, at the conference, to enter into a school attendance plan that is in accordance with section 124NC;
(d) the consequences under this Division of not complying with the notice.

124NC School attendance plans

(1) If a school attendance plan is not in force in relation to the schooling requirement person, the Secretary (the notifier), or a person responsible for the operation of the school (the notifier), may require the person to enter into such a plan.

(2) If a school attendance plan is in force in relation to the schooling requirement person, the Secretary (the notifier), or a person responsible for the operation of the school (the notifier), may require the person to enter into another plan instead of the existing one.

Notice of requirement

(3) The notifier is to give the schooling requirement person notice of:
   (a) the requirement; and
   (b) the place and time at which the plan is to be entered into; and
   (c) the consequences under this Division of not complying with the requirement.

(4) Without limiting subsection (3), the notice may be included in a notice under section 124NB or 124ND.

Form of plan

(5) A school attendance plan must be in a form approved by the notifier.

Children covered by the plan

(6) A school attendance plan must cover one or more children of the schooling requirement person.
Purpose of plan

(7) A school attendance plan must contain requirements, that the schooling requirement person is required to comply with, that the notifier considers appropriate for the purpose of ensuring improved school attendance of the one or more children covered by the plan.

124ND Compliance notices

(1) The Secretary (the notifier), or a person responsible for the operation of the school (the notifier), may give a notice (a compliance notice) to the schooling requirement person requiring the person to comply with one or more requirements specified in the notice if the person commits any of the following failures:
   (a) if a notice is given to the person under section 124NB—the person fails to attend the conference at the place and time specified under paragraph 124NB(a);
   (b) the person fails to enter into a school attendance plan in accordance with section 124NC;
   (c) the person fails to comply with a school attendance plan in force in relation to the person.

(2) The compliance notice must give details of:
   (a) how to comply with the notice; and
   (b) the consequences under this Division of not complying with the notice.

Purpose of notice

(3) A requirement specified in the compliance notice must be one that the notifier considers appropriate for the purpose of ensuring improved school attendance of the schooling requirement person’s child.

124NE School attendance—condition of schooling requirement payments

(1) A schooling requirement payment is not payable to a schooling requirement person if the person fails to comply with a compliance notice given to the person under section 124ND.
(2) Subsection (1) does not apply to the person in relation to a compliance notice, as at a particular day, if the Secretary is satisfied that there are special circumstances applying as at that day, as determined in accordance with the schooling requirement determination (if any), that justify the failure to comply with the compliance notice.

(3) Subsection (1) does not apply to the person in relation to a compliance notice, as at a particular day, if:
   (a) before that day, the person has been fined under a law of a State or Territory in relation to the failure of the person’s child or children to attend school in that State or Territory; and
   (b) having regard to all the circumstances, the Secretary determines that subsection (1) should not apply to the person as at that day.

(4) A schooling requirement payment cannot be suspended, or cancelled, because of the application of subsection (1) except as provided by section 124NF.

(5) For a schooling requirement payment under the Veterans’ Entitlements Act:
   (a) this section does not apply in relation to the grant of the payment; but
   (b) this section otherwise applies in relation to the payment.

(6) A determination under paragraph (3)(b) is not a legislative instrument.

124NF School attendance—suspension or cancellation for non-compliance with compliance notice

Scope

(1) This section applies if, as at a particular day:
   (a) a schooling requirement person has been given a compliance notice; and
   (b) a schooling requirement payment is not payable to the person because subsection 124NE(1) applies to the person as at that day.
Note: Section 124NE provides that a schooling requirement payment is not payable to a person if he or she fails to comply with a compliance notice.

Suspension or cancellation of payment

(2) The Secretary must:
   (a) if the payment has been suspended under this section for a total period of 13 weeks or more (which need not be a continuous period) in relation to compliance with the compliance notice—determine that the payment is to be suspended or cancelled; or
   (b) in any other case—determine that the payment is to be suspended.

Payment may be suspended more than once

(3) The Secretary may make more than one determination under subsection (2) in relation to compliance with a particular compliance notice.

Note: Following suspension of a schooling requirement payment, the payment may become payable again under section 124NG. Subsection (3) of this section allows for a further suspension of the payment even after the payment has become payable again.

Payment may be suspended even if not yet received

(4) The Secretary may suspend a schooling requirement person’s schooling requirement payment under this section even if the person has not started to receive the payment.

Note: A compliance notice may be given to a claimant for a schooling requirement payment (see section 124 (Scope)). The claim may be granted even if subsection 124NE(1) applies to the person. However, in that event, the Secretary must suspend the payment under this section (before it has started).

124NG School attendance—when payments become payable after suspension

Scope

(1) This section applies if, on a particular day (the reconsideration day):
Schedule 2 School attendance plans

(a) a person’s schooling requirement payment has been, and 
remains, suspended under section 124NF, where the 
compliance notice concerned required the person to enter into 
a school attendance plan; and

(b) the Secretary has reconsidered the decision to suspend the 
payment (whether on an application under section 129 or on 
his or her own initiative); and

(c) as a result of the reconsideration, the Secretary is satisfied 
that, as at the reconsideration day:

(i) the person has entered into such a plan containing 
requirements that the Secretary considers appropriate 
for the purpose of ensuring improved school attendance 
of the one or more children covered by the plan; or

(ii) there are special circumstances applying, as determined 
in accordance with the schooling requirement 
determination (if any), that justify the person being 
unable to enter into such a plan.

(2) This section also applies if, on a particular day (the 
reconsideration day):

(a) a person’s schooling requirement payment has been, and 
remains, suspended under section 124NF, where the 
compliance notice concerned required the person to comply 
with a school attendance plan in force in relation to the 
person; and

(b) the Secretary has reconsidered the decision to suspend the 
payment (whether on an application under section 129 or on 
his or her own initiative); and

(c) as a result of the reconsideration, the Secretary is satisfied 
that, as at the reconsideration day:

(i) the person is complying with the plan; or

(ii) there are special circumstances applying, as determined 
in accordance with the schooling requirement 
determination (if any), that justify the person being 
unable to comply with the plan.

Determination that payment is payable

(3) The Secretary must determine:

(a) that the schooling requirement payment is payable to the 
schooling requirement person (subject to any other provision
of the social security law or the Veterans’ Entitlements Act, as the case requires; and

(b) that any arrears resulting from the operation of this section are to be paid at a time, or times, stated in the determination under this subsection (or worked out in accordance with that determination).

Entitlement to arrears—suspension for total period of up to 13 weeks

(4) If the payment has been suspended under section 124NF for a total period of less than 13 weeks (which need not be a continuous period) in relation to compliance with a particular compliance notice, the date of effect of the determination under subsection (3) is the day on which the latest suspension determination was made under section 124NF in relation to such compliance.

Note: A schooling requirement payment may be suspended more than once under section 124NF (see subsection 124NF(3)).

Entitlement to arrears—suspension for total period of 13 weeks or more

(5) If subsection (4) does not apply, the date of effect of the determination under subsection (3) is:

(a) the reconsideration day; or

(b) an earlier day stated by the Secretary in that determination to be appropriate, in the special circumstances of the case applying as at the reconsideration day, as determined in accordance with the schooling requirement determination (if any).

(6) For the purposes of subsection (5), the Secretary may vary a determination under subsection (3) to state an earlier date of effect, if the determination:

(a) does not include such a statement; or

(b) includes such a statement in relation to a later day.

How arrears are paid

(7) Arrears resulting from the operation of this section may be paid to the person as a lump sum payment, a series of regular payments, or
otherwise, in accordance with the determination under subsection (3).

(8) The person is entitled to a payment, or payments, of arrears arising from the operation of this section at the time, or times, provided by the determination under subsection (3).

Non-application of general provisions for date of effect

(9) Division 9 of Part 3 (date of effect of determinations) does not apply in relation to a determination under subsection (3).

12 Subsection 124P(2)

Repeal the subsection, substitute:

(2) Despite any law (whether written or unwritten) in force in a State or Territory:
   (a) a State or Territory; or
   (b) a non-government school authority; or
   (c) any other person who is responsible for the operation of one or more schools;
   may, for the purposes of this Part, give the Secretary information about either or both of the following:
   (d) the attendance, or non-attendance, of children at school;
   (e) a person’s compliance with a compliance notice given to the person.

13 At the end of Part 3C

Add:

Division 5—General provisions

124PA Relationship between Divisions of this Part

No Division of this Part limits any other Division of this Part.

14 At the end of subsection 195(2)

Add:

; (l) for the purposes of Part 3C (schooling requirements), in relation to a person in respect of whom a compliance notice
is in force—any information relevant to the person’s compliance with the notice.

15 **At the end of subsection 202(7)**

Add:

; (e) a person’s compliance with a compliance notice given to the person.

16 **Subclause 1(1) of Schedule 1**

Insert:

*compliance notice* has the meaning given by section 124ND.

17 **Subclause 5(2) of Schedule 2 (paragraph (f) of the definition of exclusion period)**

Omit “or 124M”, substitute “, 124M or 124NF”.

18 **Application**

(1) Paragraph 124NA(b) of the *Social Security (Administration) Act 1999*, as inserted by this Schedule, applies in relation to notices given on or after the day on which this item commences.

(2) Division 3A of Part 3C of the *Social Security (Administration) Act 1999*, as inserted by this Schedule, applies in relation to a schooling requirement payment whether it is claimed, or granted, before, on or after the day on which this item commences.