Social Security (Employment Pathway Plan Requirements) (DEEWR) Determination 2009 (No. 1)

as amended

made under subsections 501A (4), 544B (1B) and 606 (1B) of the

Social Security Act 1991

This compilation was prepared on 10 August 2009 taking into account amendments up to Social Security (Employment Pathway Plan Requirements) (DEEWR) Amendment Determination 2009 (No. 1) (F2009L03067).

Prepared by the Department of Education, Employment and Workplace Relations.
Part 1  Preliminary

1  Name of determination
This determination is the Social Security (Employment Pathway Plan Requirements) (DEEWR) Determination 2009 (No. 1).

2  Commencement
This determination commences on 1 July 2009.

3  Revocation
The following instruments are revoked:
(a) the Social Security (Activity Agreement Requirements) (DEST) Determination 2006;
(b) the Social Security (Activity Agreement Requirements) (DEWR) Determination 2006.

4  Definitions
In this determination:
employment pathway plan means a Parenting Payment Employment Pathway Plan, a Youth Allowance Employment Pathway Plan or a Newstart Employment Pathway Plan.

5  Kinds of requirements that employment pathway plans must not contain
(1) For subsections 501A (3), 544B (1A) and 606 (1A) of the Act, the following are the kinds of requirements that an employment pathway plan must not contain:
(a) a requirement:
   (i) to seek to be involved in, to participate or otherwise to be involved in a criminal activity; or
   (ii) to undergo involuntary psychiatric or psychological treatment; or
   (iii) to undergo involuntary medical treatment; or
   (iv) for a person residing in Australia — to seek to be involved in, or to undertake, an activity outside Australia; or
   (v) to seek work as a sex worker or to participate, or otherwise be involved, in the sex or adult entertainment industry;
(b) a requirement to undertake, or to seek to undertake, an unlawful activity, including an activity that would contravene:
   (i) a law of the Commonwealth, a State or a Territory relating to discrimination against persons; or
   (ii) a law of the Commonwealth, a State or a Territory relating to occupational health and safety;
(c) for a person who has an illness (including psychological impairment or mental illness), disability or injury that has been established by medical evidence — a requirement to undertake, or to seek to undertake, an activity:
   (i) that medical evidence indicates would aggravate the illness, disability or injury; or
   (ii) in circumstances where the Secretary considers that appropriate support or facilities to manage or take account of the illness, disability or injury would not be available.

6 Kinds of requirements Youth Allowance Employment Pathway Plans must not contain

A Youth Allowance Employment Pathway Plan to which section 544DA of the Act applies must not contain a requirement to look for work.
Note to the *Social Security (Employment Pathway Plan Requirements) (DEEWR) Determination 2009 (No. 1)*

Note 1

The *Social Security (Employment Pathway Plan Requirements) (DEEWR) Determination 2009 (No. 1)* in force under subsections 501A (4), 544B (1B) and 606 (1B) of the *Social Security Act 1991* as shown in this compilation is amended as indicated in the Tables below.

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