



Social Security (Ordinary Waiting Period Exemption) Instrument 2021

I, Ray Griggs, Secretary of the Department of Social Services, make the following Determination.

Dated 19 October 2021

Ray Griggs, AO, CSC
Secretary of the Department of Social Services

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1 Name

This instrument is the *Social Security (Ordinary Waiting Period Exemption) Instrument 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 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Note: This table relates only to the provisions of this instrument as originally made.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 sections 500WA, 549CA and 620 of the *Social Security Act 1991*.

4 Definitions

In this instrument:

Act means the *Social Security Act 1991*.

5 Schedules

Each instrument that is specified in the Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in the Schedule to this instrument has effect according to its terms.

6 Ordinary waiting period exemptions

- (1) For paragraph 500WA(2)(b) of the Act, the following class of people is exempted from application of subsection 500WA(1) of the Act:
- (a) the class of persons undertaking the activity specified in subparagraph 7(a)(ii) or (iii) of the *Social Security (Exemptions from Non-payment and Waiting Periods - Activities) Specification 2017*, as amended by this instrument.
- (2) For paragraph 549CA(3)(b) of the Act, the following class of people is exempted from application of subsection 549CA(2) of the Act:

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- (a) the class of persons undertaking the activity specified in subparagraph 7(a)(ii) or (iii) of the *Social Security (Exemptions from Non-payment and Waiting Periods - Activities) Specification 2017*, as amended by this instrument.
- (3) For paragraph 620(2)(b) of the Act, the following class of people is exempted from application of subsection 620(1) of the Act:
- (a) the class of persons undertaking the activity specified in subparagraph 7(a)(ii) or (iii) of the *Social Security (Exemptions from Non-payment and Waiting Periods - Activities) Specification 2017*, as amended by this instrument.

Schedule 1—Amendments

Social Security (Exemptions from Non-payment and Waiting Periods - Activities) Specification 2017

1 Section 5 (Definitions)

Insert:

COVID-19 Australian Government payment means a payment or grant of financial assistance covered by item 492 of the table in Part 4 of Schedule 1AB to the *Financial Framework (Supplementary Powers) Regulations 1997*.

2 Paragraph 7(a)

Omit “activity is”, substitute “activities are”.

3 Subparagraph 7(a)(i)

Omit “.”, substitute “;”.

4 At the end of paragraph 7(a)

Add:

- ii. the activity of making a claim for a social security payment by a person during any period they are entitled to a COVID-19 Australian Government payment;
- iii. the activity of making a claim for a social security payment by a person on a day within 13 weeks after the day they were last entitled to a COVID-19 Australian Government payment.