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Child Support (Assessment) Amendment Regulations 2001 (No. 1)¹

Statutory Rules 2001 No. ²

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I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Child Support (Assessment) Act 1989*.

Dated 26 JUL 2001 2001

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

LARRY ANTHONY
Minister for Community Services

1 Name of Regulations

These Regulations are the *Child Support (Assessment) Amendment Regulations 2001* (No. ✓).

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2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Child Support (Assessment) Regulations 1989*

Schedule 1 amends the *Child Support (Assessment) Regulations 1989*.

Schedule 1 Amendments

(regulation 3)

[1] After regulation 7C

insert

7CA Prescribed payments

(1) For paragraph (b) of the definition of *income* in subsection 66A (4) of the Act, the following payments are prescribed:

(a) payments, in the nature of an amenity allowance or gratuity, authorised by the Governor of a prison, to a person serving a term of imprisonment in the prison, to the extent that the payment is not for:

- (i) work done by the person inside or outside the prison; or
- (ii) approved study undertaken by the person inside or outside the prison; or

- (iii) participation by the person in any other approved program;
- (b) support pension payments of the following kind:
 - (i) disability support pension paid to a person under the social security law; or
 - (ii) pension paid to a veteran who is totally and permanently incapacitated as mentioned in paragraph 24 (1) (b) of the *Veterans' Entitlements Act 1986*.
- (2) In this regulation:

amenity allowance or gratuity means periodical payments of an incidental nature to a person for one, or both, of the following:

 - (a) the purchase of personal items such as toiletries;
 - (b) other minor expenses.

Governor means the person in charge of a prison, however otherwise described.

social security law has the meaning given by subsection 3 (3) of the *Social Security (Administration) Act 1999*.

support pension means a pension that, in the opinion of the Registrar, is substantially used for the support of the pension recipient.

[2] Paragraph 11B (2) (b)

omit

(whether as Registrar or Commissioner)

[3] Subregulation 11B (2)

omit

Registrar (whether as Registrar or Commissioner),

insert

Registrar,

Notes

1. These Regulations amend Statutory Rules 1989 No. 259, as amended by 1991 No. 81; 1992 No. 63; 1993 No. 131; 1994 No. 129; 1995 Nos. 179 and 292; 1996 Nos. 142 and 273; 1997 Nos. 170 and 374; 1998 No. 164; 1999 Nos. 5, 103, 286 and 313.
2. Notified in the *Commonwealth of Australia Gazette* on *2* 2001. *2 August*