

Commonwealth of Australia

Social Security Act 1991

**Employment and Workplace Relations Exempt Lump Sum
(Queensland Indigenous Reparation Payment) Determination
2005**

I, Shirley Douglas, Assistant Secretary, Payments, Legislation and Costings Branch and a delegate of the Secretary of the Department of Employment and Workplace Relations, make this determination under paragraph 8(11)(d) of the *Social Security Act 1991*.

Dated 20 June 2005.

Shirley Douglas

Assistant Secretary, Payments, Legislation and Costings Branch

Part 1 Preliminary

1 Name of determination

This determination is the *Employment and Workplace Relations Exempt Lump Sum (Queensland Indigenous Reparation Payment) Determination 2005*.

2 Commencement

This determination applies from 7 March 2003.

3 Interpretation

In this determination:

Act means the *Social Security Act 1991*;

Queensland Government Indigenous Wages and Savings Reparations Process means a process by the Queensland Government to offer monetary compensation to certain individual Aboriginal and Torres Strait Islander (and any other) persons whose wages and salaries were controlled under a Queensland Government legislative regime known as 'the Protection Acts' during the period 1897 to 1986;

reparation payment means a payment made by the State Government of Queensland in respect of the **Indigenous Wages and Savings Reparations Process**.

social security payment has the same meaning as in the *Social Security Act 1991*.

4 Revocation

This determination revokes the *Social Security Exempt Lump Sum Determination Number 2 of 2003* of 7 March 2003 made under paragraph 8(11)(d) of the *Social Security Act 1991*.

Part 2 Exempt Lump Sums

5 Amount or class of amounts

- (1) Paragraph 8(11)(d) of the Act provides that the Secretary may determine that an amount or class of amounts received by a person, is an exempt lump sum.
- (2) If a person accepts a reparation payment then, subject to section 6, the payment is an exempt lump sum for the purposes of paragraph 8(11)(d) of the Act from the date that the amount was received.

6 Application—Exempt Lump Sums

It is appropriate to determine that an amount, or class of amounts paid, to a person under the ***Queensland Government Indigenous Wages and Savings Reparations Process*** is an exempt lump sum for the purposes of paragraph 8(11)(d) of the Act from the date that the payment is made.