

EXPLANATORY STATEMENT

Child Disability Assessment Amendment Determination 2003

Summary

This determination is made under section 38D of the *Social Security Act 1991* (the Social Security Act).

The purpose of the determination is to amend the **Child Disability Assessment Determination 2001** (the 2001 Determination) to enable six disabilities to be added to, or modified on, the List of Recognised Disabilities in Schedule 3 of the 2001 Determination that provides automatic satisfaction of this requirement for qualification to carer allowance payable under the Social Security Act.

Background

Recent reviews of young people since 1 July 2003 have provided data on tens of thousands of young people who because of a disability have been able to qualify their care receiver for carer allowance. On the basis of this data the Government seeks to further support the carers of young people with disabilities.

Explanation of the provisions

Section 1 of the determination states the name of the determination and section 2 states that the determination commenced on 1 July 2003. The retrospective commencement will allow any care receiver who has had their carer allowance in respect of a young person cancelled or suspended during the review process where the young person suffers from one of the new or modified disabilities specified in the determination to have their carer allowance resumed and backdated where the cancellation or suspension occurred on the basis of the young person not satisfying paragraph 953(1)(c) of the Social Security Act.

Section 3 specifies that Schedule 1 of the determination amends the 2001 Determination.

Item 1 of Schedule 1 of the determination substitutes the current genetic or chromosomal disorders of Down syndrome (where the young person is under 6 years old) and Fragile X in boys (where the young person is under 6 years old) and replaces these with Down syndrome (where the young person is under 16 years old) and Fragile X syndrome (where the young person is under 16 years old), respectively.

Item 2 of Schedule 1 of the determination adds Cystic Fibrosis and Phenylketonuria to the list of genetic or chromosomal disorders.

Item 3 of Schedule 1 of the determination adds Epilepsy that is uncontrolled while on medication to the list of disabilities.

Item 4 of Schedule 1 of the determination substitutes the current chronic medical condition of Haemophilia with Factor VIII deficiency (less than 1%) and replaces it with Haemophilia with Factor VIII or Factor IX deficiency (less than 10%).