



Social Security (Administration) (Exempt Welfare Payment Recipients — Principal Carers of a Child) (Specified Activities) Instrument 2015

Social Security (Administration) Act 1999

I, CHRISTIAN PORTER, Minister for Social Services, acting under subsections 123UGD(2) and (3) of the *Social Security (Administration) Act 1999*, make this Instrument.

Dated: 11 December 2015

C. PORTER

Minister for Social Services

1 Name of Instrument

This Instrument is the *Social Security (Administration) (Exempt Welfare Payment Recipients — Principal Carers of a Child) (Specified Activities) Instrument 2015*.

2 Commencement

This Instrument commences upon registration.

3 Revocation of previous instrument

The *Social Security (Administration) (Exempt Welfare Payment Recipients — Persons with Dependent Children) (Specified Activities) Determination 2010* is revoked.

4 Interpretation

(1) In this Instrument:

Act means the *Social Security (Administration) Act 1999*.

approved care service means:

- (a) an approved centre based long day care service; and
- (b) an approved family day care service; and
- (c) an approved in-home care service; and
- (d) an approved occasional care service.

child means a child for whom the person is the principal carer.

Family Assistance Act means the *A New Tax System (Family Assistance) Act 1999*.

Family Assistance Administration Act means the *A New Tax System (Family Assistance) (Administration) Act 1999*.

pre-school includes kindergarten.

program of regular health and development assessments means, in relation to a child of a particular age, a series of health and development assessments that are provided to that child:

- (a) by one or more treating health professionals; and
- (b) in accordance with the schedule of health and development assessments for a child of that age, as set out in the record published by the Northern Territory Government and known as the *Personal Health and Immunisation Record*.

severe disability or severe medical condition has the same meaning as in Part 2.5 of the *Social Security Act*.

school age means that age at which a child is required, under a law of a State or Territory:

- (a) to be enrolled at a school; or
- (b) to attend a school at times required under that law.

Social Security Act means the *Social Security Act 1991*.

terminal condition has the same meaning as in the Social Security Act.

treating health professional has the meaning given by subsection 197(1) of the Social Security Act.

treatment includes care.

Note 1 The list of persons determined under section 38F of the Social Security Act to be treating health professionals was set out in the *Social Security (Treating Health Professionals) Determination 2010*.

Note 2 For **school age child**, see section 123UGG of the Act.

Note 3 The following terms are defined in subsection 3(1) of the Family Assistance Administration Act and, in this Instrument, have the meaning given by that subsection:

- approved centre based long day care service;
- approved family day care service;
- approved in-home care service;
- approved occasional care service.

5 Specified activities — school age child (with terminal condition)

Application

- (1) Subsection (2) applies to a child who:
- (a) is a school age child; and
 - (b) has a terminal condition.

Specified activities

- (2) For subparagraph 123UGD(1)(b)(iii) of the Act, each activity mentioned in an item of the table in Schedule 1 to this Instrument is specified.

6 Specified activities —child (other than school age child)

For paragraph 123UGD(1)(c) of the Act, each activity mentioned in an item of the table in Schedule 2 to this Instrument is specified.

7 Specified required number and kind of activities — child (other than school age child)

- (1) For paragraph 123UGD(1)(c) of the Act, the number and kind of activities set out in column 4 of an item in the table at the end of this section are specified in relation to a child:
- (a) who is not a school age child; and
 - (b) whose age falls within the age-range specified in column 2 of an item in the table; and
 - (c) who satisfies the conditions set out in column 3 of that item.
- (2) For this section, a child is **unable to participate in an engagement-related activity** if:
- (a) the child has a severe disability or severe medical condition; and
 - (b) because of that disability or condition, the child is not able to participate in any of the kinds of activities that are set out in Part 3 of Schedule 2.

Table – section 7

Item	If the child is aged...	If the child...	Specified number and kind of activities...
1	less than 36 months	is not a child to whom item 7 applies	2 of the activities set out in Part 2 of Schedule 2
2	between 36 and 48 months	(a) is not a child to whom item 7 applies; and (b) is unable to participate in an engagement-related activity	3 of the activities set out in Part 2 of Schedule 2
3	between 36 and 48 months	is not a child to whom item 2 or item 7 applies	(a) 2 of the activities set out in Part 2 of Schedule 2; and (b) 1 of the activities set out in Part 3 of Schedule 2
4	at least 48 months	(a) is not a child to whom item 7 applies; and (b) is unable to participate in an engagement-related activity; and (c) is not attending pre-school	3 of the activities set out in Part 2 of Schedule 2
5	at least 48 months	(a) is not a child to whom item 4 or item 7 applies; and (b) is not attending pre-school	(a) 2 of the activities set out in Part 2 of Schedule 2; and (b) 2 of the activities set out in Part 3 of Schedule 2
6	at least 48 months	(a) is not a child to whom item 4 or item 7 applies; and (b) is attending pre-school	2 of the activities set out in Part 2 of Schedule 2
7	less than school age	has a terminal condition	1 of the activities set out in Part 2 of Schedule 2

**Schedule 1 Specified activities — school age
child with terminal condition**
(section 5)

Item	Activity
1	A program of treatment (however described), provided by one or more treating health professionals in relation to the child's condition

Schedule 2 Specified activities —child (other than school age child)

(section 6)

Part 1 Activities related to child with a terminal condition

Item	Activity
1	A program of treatment (however described), provided by one or more treating health professionals in relation to the child's condition

Part 2 Other health-related activities

Item	Activity
1	An activity required in order to meet the immunisation requirements in the Family Assistance Act in accordance with section 6 of that Act
2	A program of regular health and development assessments
3	A program of treatment (however described), provided by one or more treating health professionals

Part 3 Engagement-related activities

Item	Activity
1	Care, of a minimum duration of 8 hours per week, provided by one or more approved care services
2	Playgroup (whether formally facilitated or otherwise)
3	Creche
4	Kindergym
5	An age appropriate activity (other than an activity mentioned in items 1 to 4) that is designed to promote the child's social, emotional, mental or physical development.
6	Primary school