



Social Security (Administration) (Authorised Certifier) Determination 2019

made under subsection 63A(9) of the

Social Security (Administration) Act 1999

Compilation No. 1

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Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Social Security (Administration) (Authorised Certifier) Determination 2019* that shows the text of the law as amended and in force on 10 February 2024 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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1 Name

This instrument is the *Social Security (Administration) (Authorised Certifier) Determination 2019*.

3 Authority

This instrument is made under subsection 63A(9) of the *Social Security (Administration) Act 1999*.

4 Definitions

In this instrument:

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

municipal authority means the local government authority, agency, corporation, department, instrumentality or other local or regional political unit which governs or administers the locality or region of the place in which the social security recipient resides.

pension agency means the agency or authority responsible for the administration and payment of pensions and benefits in the country in which the social security recipient resides.

social security recipient means a person required by section 63 of the Act to give a proof of life certificate (as defined in the Act).

5 Authorised certifier

- (1) For the purposes of subsection 63A(9) of the Act, the classes of persons specified in subsections (2) and (3) of this section are determined.

Note: A person included in a class of persons specified in this instrument is an **authorised certifier** for the purposes of section 63A of the Act (see subsection 63A(8) of the Act).

Persons recognised under Australian Law

- (2) The following classes of person are specified:
- (a) a person who:
 - (i) is admitted to the legal profession by a Supreme Court of a State or Territory under a law of a State or Territory; and
 - (ii) holds a certificate to practise as a legal practitioner under a law of a State or Territory;
 - (b) a Registrar or Deputy Registrar of a federal court or of a court of a State or Territory;
 - (c) a person who is the holder of:
 - (i) an office of a judge, magistrate or justice of a federal court or of a court of a State or Territory; or

- (ii) an office if the holder has, under an Act of the Commonwealth, a State or a Territory, the same status as a judge, magistrate or justice of a federal court or a court of a State or Territory;
- (d) a justice of the peace;
- (e) a notary public;
- (f) a police officer including:
 - (i) a member of the Australian Federal Police (within the meaning of the *Australian Federal Police Act 1979*); or
 - (ii) a special member (within the meaning of that Act); or
 - (iii) a member, however described, of a police force or police service of a State or Territory who has taken an oath or made an affirmation of office as a police officer;
- (g) an Australian Consular Officer, or Australian Diplomatic Officer, within the meaning of the *Consular Fees Act 1955*;
- (h) a person who is:
 - (i) in a place outside of Australia; and
 - (ii) authorised under paragraph 3(c) or (d) of the *Consular Fees Act 1955* to perform consular acts (within the meaning of that Act) at that place; and
- (i) a person who is a medical practitioner (within the meaning of the *Health Insurance Act 1973*).

Persons recognised in social security recipient's place of residence

- (3) The following classes of person are specified for all social security recipients who are residents of a particular place outside of Australia:
 - (a) a person who, under the law of or applying at that place, is currently authorised or entitled to practise in that place as:
 - (i) a legal practitioner (however described); or
 - (ii) a notary public (however described); or
 - (iii) a medical practitioner (however described); or
 - (iv) a police officer (however described);
 - (b) a person who is the holder of any of the following offices (however described) of a court of, or having jurisdiction at, that place:
 - (i) a judge, magistrate or justice;
 - (ii) a registrar or deputy registrar;
 - (c) an official (however described) of a municipal authority or pension agency.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

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ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Social Security (Administration) (Authorised Certifier) Determination 2019	17 Dec 2019 (F2019L01643)	20 Dec 2019 (s 2(1) item 1)	
Social Security (Administration) (Authorised Certifier) Amendment (Additional Classes of Persons) Determination 2024	9 Feb 2024 (F2024L00154)	10 Feb 2024 (s 2(1) item 1)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 2.....	rep LA s 48D
s 4.....	am F2024L00154
s 5.....	am F2024L00154