



Social Security (Parenting payment participation requirements – class of persons) Instrument 2021

I, Michaelia Cash, Minister for Employment, Skills, Small and Family Business, make the following instrument.

Dated 19 January 2021

Michaelia Cash
Minister for Employment, Skills, Small and Family Business

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*Social Security (Parenting payment participation requirements – classes of persons)
Instrument 2018 (No. 1)*

1 Name

This instrument is the *Social Security (Parenting payment participation requirements – class of persons) Instrument 2021*

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Each provision in this instrument.	1 July 2021	1 July 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 500(2) of the *Social Security Act 1991*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) income support payment;
- (b) parenting payment; and
- (c) PP child.

In this instrument:

Act means the *Social Security Act 1991*.

early school leaver means a person who is under 22 years of age and has not completed the final year of school.

final year of school means final year of secondary school or equivalent level of education.

jobactive employment region means a geographical region in Australia in which employment services were delivered by one or more jobactive employment service providers on 1 December 2020.

work means:

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- (a) work which generates employment income; or
 - (b) work where the person carries on a business, and where the most recent information reported to Services Australia in relation to the profitability of the business was that the business was generating a profit.

*Note: See the definition of **employment income** in subsection 8(1) of the Act.*

5 Schedules

The instrument that is specified in Schedule 1 is repealed as set out in item 1 to the Schedule.

6 Class of persons – Compulsory Participant

- (1) For subsection 500(2) of the Act, a person is in a specified class of persons if, on a particular day on or after 1 July 2021, the person:
- (a) resides in a jobactive employment region;
 - (b) has been receiving parenting payment (partnered or single) for a continuous period of at least 6 months immediately prior to the day;
 - (c) has a youngest PP child who is at least 9 months and under 6 years of age;
 - (d) has not engaged in work in the 6 month period immediately prior to the day;
 - (e) is under 55 years of age; and
 - (f) the person:
 - (i) is an early school leaver; or
 - (ii) is at least 22 years of age; and
 - (a) has not completed the final year of school; and
 - (b) has been receiving an income support payment, or a combination of income support payments, for a continuous period of at least 2 years immediately prior to the day; or
 - (iii) has completed the final year of school and has been receiving an income support payment, or a combination of income support payments, for a continuous period of at least 4 years immediately prior to the day.
- (2) Despite subsection 6(1), a person will cease to be in this specified class of persons if, the person ceases to meet the requirements of subsection 6(1)(a), 6(1)(c) or 6(1)(e).

Note: For calculation of a continuous period of receipt of income support payments, see section 38B of the Act.

Schedule 1—Repeals

Social Security (Parenting payment participation requirements – classes of persons) Instrument 2018 (No. 1)

1 The whole of the instrument

Repeal the instrument.