



Social Security (Assurances of Support) Amendment Determination 2022

I, Anne Ruston, Minister for Families and Social Services, make the following determination.

Dated 18 March 2022

Anne Ruston
Minister for Families and Social Services

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1 Name

This instrument is the *Social Security (Assurances of Support) Amendment Determination 2022*.

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. The whole of this instrument | 1 July 2022. | 1 July 2022 |

Note: This table relates only to the provisions of this instrument as originally made.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 the *Social Security Act 1991*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Social Security (Assurances of Support) Determination 2018

1 Subsection 5(1)

Insert:

maximum basic jobseeker payment amount means the amount equal to 26.0714286 multiplied by the amount covered by column 3A of item 4A in Table B in point 1068-B1 of the Act (including that amount as indexed).

2 Subsection 5(1) (definition of *rate of jobseeker payment*)

Repeal the definition.

3 Subsection 11(3)

Repeal the subsection, substitute:

- (3) The total number of Community Support Programme entrants covered by the following assurances of support must be no more than 4:
- (a) the assurance of support currently proposed to be given by the individual;
 - (b) any previous assurances of support given by the individual that are either in force or awaiting a decision of the Secretary under subsection 1061ZZGD(1) of the Act.

Note: Community Support Programme entrants are adults. There are no restrictions on the number of children for whom an individual may give an assurance of support.

4 Subsection 12(4)

Repeal the subsection, substitute:

- (4) The total number of Community Support Programme entrants covered by the following assurances of support must be no more than 15:
- (a) the assurance of support currently proposed to be given by the body;
 - (b) any previous assurances of support given by the body that are either in force or awaiting a decision of the Secretary under subsection 1061ZZGD(1) of the Act.

Note: Community Support Programme entrants are adults. There are no restrictions on the number of children for whom a body may give an assurance of support.

5 Subsection 15(2)

Omit “for a financial year if the amount of the individual’s assessable income for the year”, substitute “for the current financial year, first financial year or second financial year if the amount of the individual’s assessable income for that year”.

6 Paragraph 15(2)(a)

Omit “applicable rate of jobseeker payment”, substitute “maximum basic jobseeker payment amount, applicable on 1 July of the current financial year”.

7 Subparagraphs 15(2)(b)(i) and (ii)

Omit “as at 1 July in the financial year”, substitute “applicable on 1 July of the current financial year”.

8 Subsection 15(2) (example)

Repeal the example.

9 Subsection 16(2)

Omit “for a financial year if the combined amount of assessable income of the assurers for the year”, substitute “for the current financial year, first financial year or second financial year if the combined amount of assessable income of the assurers for that year”.

10 Paragraph 16(2)(a)

Omit “applicable rate of jobseeker payment”, substitute “maximum basic jobseeker payment amount, applicable on 1 July of the current financial year”.

11 Subparagraphs 16(2)(b)(i) and (ii)

Omit “as at 1 July in the financial year”, substitute “applicable on 1 July of the current financial year”.

12 Subsection 16(2) (example)

Repeal the example.

13 Subsection 17(2)

Repeal the subsection, substitute:

- (2) For a body other than a State agency, a requirement to be met as mentioned in section 13 is that the body:
 - (a) for a body corporate—satisfies subsection (3) or (4); or
 - (b) for a body other than a body corporate—satisfies subsection (4); or
 - (c) in any case—otherwise has the capacity to support the adults receiving assurance under the assurance of support.
- (3) A body satisfies this subsection if the body’s profit, from carrying on a business or businesses for each of the last 2 financial years ending before the financial year (the *current year*) in which the body gave the assurance of support, was at least equal to the maximum basic jobseeker payment amount, applicable on 1 July of the current year, multiplied by the number of adults receiving assurance under the assurance of support.
- (4) A body satisfies this subsection if the body has, on the day the body gave the assurance of support, an amount of readily available funds (see subsection (5)) at least equal to \$5,000 multiplied by the number of adults receiving assurance under the assurance of support.
- (5) In this section:

readily available funds means the following:

 - (a) money in an account, or on deposit, with an authorised deposit-taking institution within the meaning of the *Banking Act 1959*;
 - (b) bank bills accepted, or endorsed, by such an institution;
 - (c) marketable securities (within the meaning of section 9 of the *Corporations Act 2001*).

14 After Part 8

Insert:

Part 9—Application provisions

26 Application provisions—amendments made by the *Social Security (Assurances of Support) Amendment Determination 2022*

- (1) The amendment of section 11 made by Schedule 1 to the *Social Security (Assurances of Support) Amendment Determination 2022* applies in relation to working out whether an assurance of support is able to be given by an individual on or after the commencement of this section, whether the assurances of support covered by paragraph 11(3)(b), as substituted by that Schedule, were given before, on or after that commencement.
- (2) The amendment of section 12 made by Schedule 1 to the *Social Security (Assurances of Support) Amendment Determination 2022* applies in relation to working out whether an assurance of support is able to be given by a body on or after the commencement of this section, whether the assurances of support covered by paragraph 12(4)(b), as substituted by that Schedule, were given before, on or after that commencement.
- (3) The amendment of section 17 made by Schedule 1 to the *Social Security (Assurances of Support) Amendment Determination 2022* applies in relation to an assurance of support given by a body, other than a State agency, on or after the commencement of this section.