



## **Social Security (Administration) (Penalty Amount) Determination 2025**

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I, Amanda Rishworth, Minister for Employment and Workplace Relations, make the following Determination.

25 SEPTEMBER 2025

Amanda Rishworth  
Minister for Employment and Workplace Relations

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## 1 Name

This determination is the *Social Security (Administration) (Penalty Amount) Determination 2025*.

## 2 Commencement

- (1) Each provision of this determination 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 determination | 1 October 2025 |              |

Note: This table relates only to the provisions of this determination as originally made.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

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

## 3 Authority

This determination is made under subsection 42T(1) of the *Social Security (Administration) Act 1999*.

## 4 Schedule

Each determination that is specified in a Schedule to this determination is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this determination has effect according to its terms.

## 5 Definitions

In this determination:

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

*daily penalty rate* has the same meaning as in subsection 10(1) of this determination.

*instalment period* has the same meaning as in section 43 of the Act.

*no show no pay failure* has the same meaning as in subsection 42C(1) of the Act.

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***non-attendance failure*** has the same meaning as in subsection 42SC(1) of the Act.

***non-attendance failure penalty period*** has the same meaning as in subsection 42T(3B) of the Act.

***penalty-affected rate*** has the same meaning as in subsection 10(4) of this determination.

***reconnection failure*** has the same meaning as in subsection 42H(1) of the Act.

***reconnection failure period*** has the same meaning as in subsection 42H(4) of the Act.

***weekday*** means a day that is not a Saturday or Sunday.

## 6 Transitional arrangements

This determination applies in relation to decisions made on or after 1 October 2025 whether a relevant no show no pay failure, non-attendance failure, or reconnection failure occurred before that date or not.

## 7 Reconnection penalty amount

A person's penalty amount for a reconnection failure is the sum of the daily penalty rates for each weekday that falls in the reconnection failure period.

## 8 No show no pay penalty amount

A person's penalty amount for a no show no pay failure on a particular day is the daily penalty rate.

## 9 Non-attendance failure penalty amount

A person's penalty amount for a non-attendance failure is the sum of the daily penalty rates for each weekday that falls in the non-attendance failure penalty period.

## 10 Calculating the daily penalty rate

- (1) The ***daily penalty rate*** for a day in a particular instalment period is the lesser of the amount worked out in accordance with subsection (2) and the amount worked out in accordance with subsection (3).

### First method

- (2) The first method for working out the daily penalty rate is:

$$\text{daily penalty rate} = 1.4 \times \text{PAR} / (\text{Day}_{\text{inst}})$$

where:

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**PAR** means the person's penalty-affected rate for the instalment period in which the day occurs.

**Day<sub>inst</sub>** is the number of days in that instalment period.

### Second method

- (3) The second method for working out the daily penalty rate is:

$$\text{daily penalty rate} = \text{PAR} / (\text{WD}_{\text{inst}})$$

where:

**PAR** means the person's penalty-affected rate for the instalment period in which the day occurs.

**WD<sub>inst</sub>** is the number of weekdays in that instalment period.

### Penalty-affected rate

- (4) A person's **penalty-affected rate** for an instalment period is the amount worked out in accordance with the following formula:

$$\text{PPA}_{\text{inst}} - (\text{PA}_{\text{inst}} + \text{PS}_{\text{inst}} + \text{RA}_{\text{inst}} + \text{RAA}_{\text{inst}} + \text{YDS}_{\text{inst}})$$

where:

**PPA<sub>inst</sub>** is the amount of participation payment payable to the person (or in relation to a non-attendance failure, that would, apart from subsection 42SA(2) of the Act, be payable), for the instalment period in which the day occurs, and includes any supplement or allowance that is part of the rate of that payment for that period.

**PA<sub>inst</sub>** is the amount of pharmaceutical allowance payable to the person for the instalment period.

**PS<sub>inst</sub>** is the amount of pension supplement payable to the person for the instalment period.

**RA<sub>inst</sub>** is the amount of rent assistance payable to the person for the instalment period.

**RAA<sub>inst</sub>** is the amount of remote area allowance payable to the person for the instalment period.

**YDS<sub>inst</sub>** is the amount of youth disability supplement payable to the person for the instalment period.

*Note 1* A person's rate of participation payment amount may include an amount for supplements such as language, literacy and numeracy supplement and approved program of work supplement.

*Note 2* A person may also receive allowances and supplements, such as mobility allowance, pensioner education supplement, telephone allowance, and utilities allowance, that are not part of the person's rate of participation payment. These are not included in the calculation of the person's penalty-affected rate.

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*Note 3* More than one calculation method and calculated daily amount may apply to a reconnection failure period that exceeds one instalment period in duration.

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## **Schedule 1—Repeals**

### ***Social Security (Administration) (Penalty Amount) Determination 2015 (No. 1)***

#### **1 The whole of the determination**

Repeal the determination.