LIN 26/101

Social Security (AGDRP—Adversely Affected Persons—Nepal—Flash Floods) Determination 2026

I, Kristy McBain, Minister for Emergency Management, make the following determination.

Dated 25 September 2026 Time 15:28

Kristy McBain
Minister for Emergency Management

Authorised Version F2026L01314 registered 29/09/2026

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1 Name

This instrument is the *Social Security (AGDRP—Adversely Affected Persons—Nepal Flash Floods) Determination 2026.*

2 Commencement

This instrument commences immediately after it is signed.

3 Authority

This instrument is made under subsection 1061L(2) of the *Social Security Act 1991*.

4 Definitions

In this instrument:

Act means the *Social Security Act 1991*.

deceased means a person who died as a direct result of the major disaster.

immediate family member, of a person, means:

(a) the person's partner; or

(b) the person's natural child, adoptive child or step-child; or

(c) the person's natural parent, adoptive parent or step-parent; or

(d) the person's legal guardian; or

(e) the person's brother, sister, step-brother or step-sister.

Note: This term is used in a different sense to that used in the Act.

major disaster means the major disaster determined in the *Social Security (AGDRP—Major Disaster—Nepal Flash Floods) Determination 2026*.

seriously injured, for a person, means:

(a) the person has sustained an injury; and

(b) because of the injury:

(i) the person was admitted to hospital; or

(ii) under normal circumstances, the person would have been admitted to hospital.

5 Persons adversely affected by a major disaster

(1) This section applies to the major disaster being the effects of the severe flash flooding, including associated landslides and debris flows, in the Federal Democratic Republic of Nepal occurring on and from 26 August 2026 as a result of glacier collapse.

(2) For subsection 1061L(2) of the Act, a person is taken to be adversely affected by the major disaster if any of the following circumstances apply:

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(a) the person is seriously injured as a direct result of the disaster;
(b) the person is an immediate family member of an Australian citizen or resident who is missing and presumed deceased, or deceased, as a direct result of the disaster;
(c) the person is a carer of a child to whom paragraph (a), or (b) applies.

Note: This term carer is the same as in subsection 1061M(1A) of the Act.

6 Repeal

This instrument is repealed on the day after the end of the period of two years that begins on the day the instrument commences.

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