



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

FAMILY AND COMMUNITY SERVICES LEGISLATION AMENDMENT (AUSTRALIANS WORKING TOGETHER AND OTHER 2001 BUDGET MEASURES) BILL 2002

In Committee

SPEECH

Thursday, 12 December 2002

BY AUTHORITY OF THE SENATE

SPEECH

Date Thursday, 12 December 2002
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Questioner
Speaker Cherry, Sen John

Source Senate
Proof No
Responder
Question No.

Senator CHERRY (Queensland) (6.39 pm)—by leave—I move together Democrat amendments (21) to (31) on sheet 2700 revised:

(21) Schedule 1, page 20 (after line 30), after item 26, insert:

26L Paragraph 576(2)(b) and note

Repeal the paragraph and the note, substitute:

(b) the latest breach is the third or subsequent activity test breach in the 12 months immediately before the day after the latest breach.

Note: If the latest breach is the first or second activity test breach in the 12 months before the latest breach, an activity test rate reduction period applies to the person (see Subdivision B of Division 5).

(22) Schedule 1, page 20 (after line 30), after item 26, insert:

26M Subsection 576B(1)

Omit “8 weeks”, substitute “1 week”.

(23) Schedule 1, page 20 (after line 30), after item 26, insert:

26N Subsection 576C(2)

Omit “starts on the day”, substitute “starts on the 14th day after the day”.

(24) Schedule 1, page 20 (after line 30), after item 26, insert:

26P Paragraph 582(b) and note

Omit “2 years” (wherever occurring), substitute “12 months”.

(25) Schedule 1, page 20 (after line 30), after item 26, insert:

26Q Subsection 582A(1)

Omit “26 weeks”, substitute “8 weeks”.

(26) Schedule 1, page 20 (after line 30), after item 26, insert:

26R Subsection 582B(2)

Omit “on the day”, substitute “on the 14th day after the day”.

(27) Schedule 1, page 20 (after line 30), after item 26, insert:

26S Subsection 582D(1) (step 2 of the method statement)

Repeal the step, substitute:

Step 2. Work out the rate reduction amount as follows:

(a) if the activity test breach is the person's first breach in the 12 month period:

Maximum payment rate x 0.10

(b) if the activity test breach is the person's second breach in the 12 month period:

Maximum payment rate x 0.15

(28) Schedule 1, page 20 (after line 30), after item 26, insert:

26T Subsection 582D(2)

Omit “*2 year period* means the 2 years”, substitute “*12 month period* means the 12 months”.

(29) Schedule 1, page 20 (after line 30), after item 26, insert:

26U Subsection 583A(1)

Omit “13 weeks”, substitute “4 weeks”.

(30) Schedule 1, page 20 (after line 30), after item 26, insert:

26V Subsection 583B(2)

Omit “on the day”, substitute “on the 14th day after the day”.

(31) Schedule 1, page 20 (after line 30), after item 26, insert:

26W Section 583G (step 2 of the method statement)

Omit “0.16”, substitute “0.08”.

These amendments are the same as the ones I just moved for Youth Allowance payments but applying to Austudy payments. These amendments seek to reduce the accumulation period for breaches from two years to 12 months, to reduce the non-payment breach period from eight weeks to one week, to ensure that the non-payment period cannot be imposed until 14 days after a notice, to reduce the breach rate reduction period from 26 weeks to eight weeks and to change the activity test breach reduction rate to 10 per cent for the first breach and 15 per cent for the second breach—down from 18 per cent and 24 per cent as currently apply. I have spoken to these issues previously in relation to Youth Allowance. These amendments address identical issues; we are simply moving them to apply to Austudy as well.