



Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Act 2017

No. 42, 2017

**An Act to amend the law relating to social security
and veterans' entitlements, and for related
purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

Contents

1	Short title.....	2
2	Commencement.....	2
3	Schedules.....	3
Schedule 1—Internship payments		4
	<i>Social Security Act 1991</i>	4
	<i>Veterans' Entitlements Act 1986</i>	4
Schedule 2—Youth Bonus wage subsidy		5
	<i>Social Security (Administration) Act 1999</i>	5



Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Act 2017

No. 42, 2017

**An Act to amend the law relating to social security
and veterans' entitlements, and for related
purposes**

[Assented to 19 May 2017]

The Parliament of Australia enacts:

*No. 42, 2017 Social Security Legislation Amendment (Youth Jobs Path: Prepare,
Trial, Hire) Act 2017 1*

1 Short title

This Act is the *Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Act 2017*.

2 Commencement

- (1) Each provision of this Act 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. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	19 May 2017
2. Schedule 1	The later of: (a) the day this Act receives the Royal Assent; and (b) 1 April 2017.	19 May 2017 (paragraph (a) applies)
3. Schedule 2	The later of: (a) the day this Act receives the Royal Assent; and (b) 1 January 2017.	19 May 2017 (paragraph (a) applies)

Note: This table relates only to the provisions of this Act as originally enacted.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

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

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Internship payments

Social Security Act 1991

1 After paragraph 8(8)(tc)

Insert:

- (td) a payment made by the Commonwealth, under the program established by the Commonwealth and known as “Youth Jobs PaTH”, to an individual placed in an internship under that program;

Veterans’ Entitlements Act 1986

2 After paragraph 5H(8)(xac)

Insert:

- (xad) a payment made by the Commonwealth, under the program established by the Commonwealth and known as “Youth Jobs PaTH”, to an individual placed in an internship under that program;

Schedule 2—Youth Bonus wage subsidy

Social Security (Administration) Act 1999

1 Subparagraph 85(1)(a)(i)

After “94”, insert “or subsection 95C(2)”.

2 After subparagraph 85(1)(a)(ii)

Insert:

(ia) suspended under subsection 95C(1); or

3 After section 95B

Insert:

95C Social security payment—suspension instead of cancellation under section 93 or 94

(1) If:

- (a) a person ceases to be qualified for a social security payment or a social security payment ceases to be payable to a person; and
- (b) the Secretary is satisfied that the cessation is because the person is employed by a Youth Bonus wage subsidy employer;

then the Secretary may determine:

- (c) that the person’s social security payment is suspended and that the suspension takes effect on the day of the cessation; and
- (d) that section 93 or 94 is taken not to apply or not to have applied, as the case requires, to the person’s social security payment in relation to the cessation.

Note: For *Youth Bonus wage subsidy employer*, see subsection (4).

(2) Subject to subsection (3), if:

- (a) the suspension is in effect at the end of the period of 26 weeks beginning on the day the suspension takes effect; and

(b) at the end of that 26-week period, the person is not qualified for the social security payment or the social security payment is not payable to the person;

then the person's social security payment is cancelled, by force of this subsection, on the day after the end of that 26-week period.

(3) If:

(a) before the end of the period of 26 weeks beginning on the day the suspension takes effect and while the suspension is in effect, the person ceases to be employed by a Youth Bonus wage subsidy employer; and

(b) the Secretary determines that the cessation is:

(i) as a result (whether direct or indirect) of a voluntary act of the person that was not reasonable; or

(ii) as a result of the person's misconduct as an employee;

then the person's social security payment is taken to have been cancelled, by force of this subsection, on the day of the cessation.

Note: If the Secretary does not make a determination as mentioned in paragraph (b), then the social security payment may again become payable to the person (without the need for a further claim) if the requirements in section 85 are satisfied.

(4) In this section:

Youth Bonus wage subsidy employer, in relation to a person, means an employer that is eligible to receive a Youth Bonus wage subsidy in respect of the person under the program established by the Commonwealth and known as "Youth Jobs PaTH".

4 Paragraph 123(1)(c)

Omit ", 82,", substitute "or 82, subsection 95C(1) or section".

5 At the end of Part 7

Add:

243A Review of operation of Youth Jobs PaTH program

(1) Before the end of the period of 2 years after the commencement of Schedule 2 to the *Social Security Legislation Amendment (Youth Jobs Path: Prepare, Trial, Hire) Act 2017*, the Employment

Minister must cause to be conducted a review into the operation of the program established by the Commonwealth and known as “Youth Jobs PaTH”.

- (2) The Employment Minister must cause to be prepared a report of a review under subsection (1).
- (3) The Employment Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days of that House after the completion of the preparation of the report.
- (4) In this section:

Employment Minister means the Minister administering the *Fair Entitlements Guarantee Act 2012*.

[*Minister’s second reading speech made in—
House of Representatives on 13 October 2016
Senate on 24 November 2016*]

(140/16)

No. 42, 2017

*Social Security Legislation Amendment (Youth Jobs Path: Prepare,
Trial, Hire) Act 2017*

7