



# **Social Security and Other Legislation Amendment (Employment Entry Payment) Act 2008**

**No. 64, 2008**

**An Act to amend the *Social Security Act 1991* and  
other legislation, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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**An Act to amend the *Social Security Act 1991* and  
other legislation, and for related purposes**

[Assented to 30 June 2008]

The Parliament of Australia enacts:

## **1 Short title**

This Act may be cited as the *Social Security and Other Legislation  
Amendment (Employment Entry Payment) Act 2008*.

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## **2 Commencement**

This Act commences on 1 July 2008.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

### ***Income Tax Assessment Act 1997***

**1 Section 52-10 (table item 10.1)**

Repeal the item.

**2 Section 52-40 (table item 10)**

Repeal the item.

### ***Social Security Act 1991***

**3 Subsection 17(1) (subparagraph (I)(iii) of the definition of *compensation affected payment*)**

Repeal the subparagraph.

**4 Part 2.13**

Repeal the Part.

**5 Paragraph 1061EO(a)**

Repeal the paragraph.

**6 Subsection 1061EW(2)**

Omit “Subject to section 1061EY, the”, substitute “The”.

**7 Subsection 1061EX(2)**

Omit “and section 1061EY”.

**8 Section 1061EY**

Repeal the section.

### ***Social Security (Administration) Act 1999***

**9 Subsection 15(5) (paragraph (d) of the definition of *supplementary payment*)**

Repeal the paragraph.

**10 Subsection 47(1) (paragraph (e) of the definition of *lump sum benefit*)**

Repeal the paragraph.

**11 Transitional**

- (1) Despite the repeal of table item 10.1 in section 52-10 of the *Income Tax Assessment Act 1997* made by this Schedule, that table item continues to apply on and after the commencement of this item in relation to employment entry payments made before, on or after the commencement of this item.
  - (2) Despite the repeal of subparagraph (l)(iii) of the definition of *compensation affected payment* in subsection 17(1) of the *Social Security Act 1991* made by this Schedule, that subparagraph continues to apply on and after the commencement of this item in relation to employment entry payments paid before, on or after the commencement of this item.
  - (3) Despite the repeal of Part 2.13 of the *Social Security Act 1991* made by this Schedule, that Part, and the provisions of that Act and the *Social Security (Administration) Act 1999* that relate to that Part, as in force immediately before the commencement of this item, continue to apply in relation to a person on and after the commencement of this item if the following circumstances exist:
    - (a) for section 661, 663, 664AAA, 664AA, 664C or 664I of the *Social Security Act 1991*—the commencement of the employment, or the entry into the agreement, was before the commencement of this item;
    - (b) for section 663B, 663F or 664BA of that Act—the commencement of the employment, or the increase in hours worked, was before the commencement of this item;
    - (c) for section 663D of that Act—the starting of the earning of income, or the increase in income or the entry into the agreement, was before the commencement of this item;
    - (d) for section 664A, 664E, 664G or 664HA of that Act—the rise in income, or the entry into the agreement, was before the commencement of this item.
  - (4) Despite the repeal of paragraph 1061EO(a), and section 1061EY, of the *Social Security Act 1991* made by this Schedule, that paragraph and section, as in force immediately before the commencement of this item,
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continue to apply on and after the commencement of this item in relation to claims for special employment advance made before, on or after the commencement of this item.

- (5) Despite the repeal of paragraph (d) of the definition of **supplementary payment** in subsection 15(5) of the *Social Security (Administration) Act 1999* made by this Schedule, that paragraph continues to apply on and after the commencement of this item in relation to claims made before, on or after the commencement of this item.
- (6) Despite the repeal of paragraph (e) of the definition of **lump sum benefit** in subsection 47(1) of the *Social Security (Administration) Act 1999* made by this Schedule, that paragraph continues to apply on and after the commencement of this item in relation to employment entry payments that are payable before, on or after the commencement of this item.
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[Minister's second reading speech made in—  
House of Representatives on 29 May 2008  
Senate on 16 June 2008]

(102/08)

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