

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
Social Services Portfolio
2014-15 Budget Estimates Hearings

Outcome Number: 1

Question No: 63

Topic: Disability Support Pension - Review Recipients aged under 35 years

Hansard Page: Written

Senator Brown asked:

Will the Government need to amend legislation to carry out these reviews?

a. If not, what existing powers is the government relying upon to carry out these reviews?

Answer:

Sections 63 and 64 of the *Social Security (Administration) Act 1999* allow a DSP recipient to be required to undergo a review of their qualification for DSP. Under Section 26 of the *Social Security Act 1991*, the revised Impairment Tables apply to DSP recipients selected for review on or after 1 January 2012. The revised Impairment Tables are contained in the legislative instrument, *Social Security (Tables for the Assessment of Work-related Impairment for Disability Support Pension) Determination 2011*.

Currently, section 94 (3A) of the *Social Security Act 1991* specifies that the program of support requirements do not apply to DSP recipients subject to review and are only applicable to new claims from 3 September 2011.

Legislative changes have been proposed to allow the program of support requirements to be applied to people subject to review under this measure, from 1 July 2014. These changes are contained in Schedule 4 of the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014*, which is currently before parliament for consideration.