

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Human Services and agencies

Budget Estimates 2005-2006, 26 May 2005

Question: HS67

Outcome 1, Output Group 1.1

Topic: Centrelink – TPV holders and Centrelink payments

Hansard Page/Written Question on Notice: Written

SENATOR NETTLE asked on 26 May 2005:

(1) How many temporary protection visa holders have had their application for Special Benefit refused or payment of such benefits cancelled on the ground that they are enrolled as a full-time student in an educational institution? (Social Security Act 1991, s737(1))

(2) How many of these refusals and cancellations occurred on the basis of a temporary protection visa holder being enrolled on a full-time basis in a:

(a) university course;

(b) TAFE course.

(3) What considerations are taken into account by Centrelink in exercising its discretion to approve courses in which temporary protection visa holders can be enrolled on a full-time basis ('allowable courses') and still continue to receive the Special Benefit? (Social Security Act 1991, s731A(7)(iii), s737(3)(a))

(4) Does Centrelink or the Department of Immigration inform TPV holders that enrolling in particular courses will make them ineligible for the Special Benefit? If not, will they now institute such a procedure? If not, why not?

(5) What are the reasons for Centrelink's policy in restricting the allowable courses to those with a duration of less than a year? (Guide to Social Security Law, 3.7.5.70, "Study for SpB Customers")

Answer:

(1) Centrelink is unable to answer this question as the information is not collected and is therefore not available.

(2) Centrelink is unable to answer this question as the information is not available.

(3) Centrelink considers whether the course is beneficial to a person's prospects of seeking or obtaining and retaining employment. Other factors which may be

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considered are the length of the course, how long the person has been seeking employment and their language and literacy skills.

(4) When a customer claims Special Benefit they are advised they need to inform Centrelink if they intend to commence or vary studies. Subsequent letters from Centrelink and forms which customers complete and lodge fortnightly reinforce this.

The majority of Temporary Protection Visa holders receiving Special Benefit are required to enter into an Activity Agreement. At the time of negotiating the Agreement, Centrelink Customer Service Officers will discuss and identify a range of options to improve the customer's prospects for employment. This discussion generally includes the possibility of undertaking appropriate short-term, vocational or part-time study. A customer would be informed if a particular course would make them ineligible for Special Benefit.

Centrelink does not propose to give a blanket ruling on the effect of enrolling in specific courses for Temporary Protection Visa holders or other customers. Because of the large number of courses and the arrangements that can be made to undertake many of these part time, Centrelink prefers to consider each case on its merits.

Centrelink cannot comment on the Department of Immigration's approach to Temporary Protection Visa holders and study.

(5) The Guide to the Social Security Law is the responsibility of the Department of Family and Community Services.