

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

Supplementary Estimates Hearings - 1 November 2005

Question: F52

Outcome 2, Output 2.1.3

Topic: Act of grace payment

Written Question on Notice

Senator Sherry asked:

In reference to a constituent, Mrs Stubbings of 44 Magdalene Terrace, Pasadema, SA, 5042 who is an invalid pensioner is claiming an act of grace payment. Mr Henry Stubbings is acting on behalf of his wife and they are seeking an Act of Grace payment for unclaimed invalid payments between 1971 and 6th October 1983:

1. What is the current status of the claim for an Act of Grace payment for Mr & Mrs Stubbings?
2. What is the average time for a decision to be made in regards to an Act of Grace payment?
3. In light of your statement that it took only a 24 hour turnaround to finalise two Act of Grace payments for two Iraqi citizens injured by Australian ADF personnel in Iraq why has it taken so long to review Mr & Mrs Stubbings case?
4. Why are lengthy delays occurring?
5. Is priority given to foreign citizens (such as the two Iraqis) over Australian citizens?

And one further question

6. In light of the fact that Mr & Mrs Stubbings claim has been finalised, what is the outcome of their claim?

Answer:

1 and 6. Mr Stubbings was advised on 13 December 2004, that the request he had made for an act of grace payment on behalf of his late wife was not approved.

2. There is no average time taken for a decision to be made in relation to a request for an act of grace payment since each case is treated on the basis of its particular circumstances. As at 5 December 2005, for the 2005-06 financial year the following internal turnaround times are being achieved:-

- 73% of claims within 14 days;
- 82% of claims within 21 days;
- 87% of claims within 28 days; and
- 13% taking over 28 days (for extremely complex and detailed claims).

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3. Mr Stubbings' request, relating to back payment of invalid pension payments for his wife between 1971 and 1983, was received by the Department of Finance and Administration (Finance) on 17 August 2004. On 25 August 2004 the matter was forwarded to Centrelink for advice. The advice from Centrelink was received on 29 November 2004. Briefing material was provided to the decision maker on 7 December 2004 and a decision was made on 13 December 2004.

Mr Stubbings' case was therefore progressed within 14 days of the information being received from Centrelink.

Mr Stubbings' submitted his claim directly to Finance. As Finance did not have a comprehensive history of his case, documentation from Centrelink was necessary in order to prepare briefing material for the decision maker.

Requests for act of grace payments and waiver of debts are dealt with on the basis of their particular circumstances. Sometimes, in view of the complexity and the history of a case, further investigation and information is required, and is sought as necessary from the individual(s) making the request and/or the relevant agency or agencies involved.

4. See 2 and 3 above.

5. No