

Senate Community Affairs Committee
ANSWERS TO QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
Hearing, 29 July 2008

Topic: Inquiry into Special Disability Trusts

QUESTION 1

Hansard Page: CA 105

Senator Siewert asked:

How did the Department derive the figure of an estimated 5,000 people to benefit from Special Disability Trusts over four years (noted on page 5 of its submission to the Inquiry)?

Answer:

The estimated figure of 5,000 is derived from an analysis of the people reported to have a profound core activity limitation (Survey of Disability, Ageing and Carers 2003: Australian Bureau of Statistics) and Centrelink data regarding the number of people in receipt of Disability Support Pension (DSP) being cared for by their parents, and/or people who had high care needs and were unlikely to be able to manage their own affairs.

From this source was derived the number of parents who would be able to gift and set up a Special Disability Trust based on a number of assumptions about their characteristics such as homeowner status and level of assets. It was assumed that there would be a greater disposition to set up a trust as the level of assets increased.

QUESTION 2

Hansard Page: CA 107

Senator Siewert asked:

Was the decision to revise the Guidelines to incorporate clarity on payment of daily care fees in aged care facilities tabled in Parliament?

Answer:

Yes, it was tabled in the House of Representatives and the Senate on 15 May 2008.

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QUESTION 3

Hansard Page: CA 111

Senator Boyce asked:

Could the Department pursue advice on the release of the full report from the ‘succession planning’ consultations in November-December 2006?

Answer:

The Department is currently seeking the agreement of the Parliamentary Secretary for Disabilities and Children’s Services to the release of this report to the Committee.

QUESTION 4

Hansard Page: CA 115

Senator Adams asked:

Would capital gains tax be payable by Special Disability Trust on the sale of the beneficiary’s residence to pay the beneficiary’s accommodation bond for an aged care facility?

Answer:

Yes, if the property had been purchased after 20 September 1985 (the introduction of capital gains tax), its disposal will be subject to capital gains tax.

QUESTION 5

Hansard Page: CA 116

Senator Moore (Chair) asked:

How many pieces of ministerial correspondence has the Department received on the disadvantages of Special Disability Trusts since the implementation of the measure?

Answer:

Since 20 September 2006, the Department has identified a total of 20 pieces of correspondence specifically commenting on the disadvantages of Special Disability Trusts.

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QUESTION 6

Hansard Page: CA 117

Senators Siewert and Moore asked:

Could the Department ask the minister if the Ministerial Advisory Group report can be made available to the Committee?

Answer:

The Department is currently seeking the agreement of the Parliamentary Secretary for Disabilities and Children's Services to the release of this report to the Committee.

QUESTION 7

Hansard Page: CA 117

Senator Moore asked:

Could the Department consider publishing on its website a Q&A sheet on commonly asked questions on Special Disability Trusts?

Answer:

Yes, the Department will consider the development and publication of a Q&A sheet.