

2019-2020

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

As passed by both Houses

**Coronavirus Economic Response
Package Omnibus Bill 2020**

No. , 2020

**A Bill for an Act to provide an economic response,
and deal with other matters, relating to the
coronavirus, and for related purposes**

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1 **A Bill for an Act to provide an economic response,**
2 **and deal with other matters, relating to the**
3 **coronavirus, and for related purposes**

4 The Parliament of Australia enacts:

5 **1 Short title**

6 This Act is the *Coronavirus Economic Response Package Omnibus*
7 *Act 2020*.

8 **2 Commencement**

9 (1) Each provision of this Act specified in column 1 of the table
10 commences, or is taken to have commenced, in accordance with
11 column 2 of the table. Any other statement in column 2 has effect
12 according to its terms.

13

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	
2. Schedules 1 and 2	The day after this Act receives the Royal Assent.	
3. Schedule 3	At the same time as the <i>Boosting Cash Flow for Employers (Coronavirus Economic Response Package) Act 2020</i> commences.	
4. Schedules 4 and 5	The day after this Act receives the Royal Assent.	
5. Schedule 6	1 April 2020.	1 April 2020
6. Schedules 7 to 10	The day after this Act receives the Royal Assent.	
7. Schedule 11	The day after this Act receives the Royal Assent.	
8. Schedules 12 to 16	The day after this Act receives the Royal Assent.	

1 Note: This table relates only to the provisions of this Act as originally
2 enacted. It will not be amended to deal with any later amendments of
3 this Act.

4 (2) Any information in column 3 of the table is not part of this Act.
5 Information may be inserted in this column, or information in it
6 may be edited, in any published version of this Act.

7 **3 Schedules**

8 Legislation that is specified in a Schedule to this Act is amended or
9 repealed as set out in the applicable items in the Schedule
10 concerned, and any other item in a Schedule to this Act has effect
11 according to its terms.

12 Note: The provisions of a legislative instrument (the principal instrument)
13 amended or inserted by this Act, and any other provisions of the
14 principal instrument, may be amended or repealed by a legislative

1
2

instrument made under the enabling provision for the principal
instrument (see subsection 13(5) of the *Legislation Act 2003*).

1 **Schedule 1—Enhancing the instant asset**
2 **write-off**
3

4 ***Income Tax Assessment Act 1997***

5 **1 Section 40-82 (heading)**

6 Omit “\$30,000”, substitute “\$150,000”.

7 **2 Paragraph 40-82(1)(a)**

8 After “businesses)”, insert “, or by subsection (4A) (about medium
9 sized businesses and certain assets) in relation to the asset,”.

10 **3 Paragraph 40-82(1)(d)**

11 Repeal the paragraph, substitute:

12 (d) the asset is a depreciating asset whose * cost as at the end of
13 the current year is less than:

14 (i) if you start to use the asset, or have it installed ready for
15 use, for a taxable purpose in the period beginning on
16 12 March 2020 and ending on 30 June 2020—\$150,000;
17 or

18 (ii) otherwise—\$30,000.

19 **4 Paragraph 40-82(3)(a)**

20 After “businesses)”, insert “, or by subsection (4B) (about medium sized
21 businesses and certain amounts) in relation to the amount,”.

22 **5 Paragraph 40-82(3)(b)**

23 Repeal the paragraph, substitute:

24 (b) the amount so included is less than:

25 (i) if the amount is included in the period beginning on
26 12 March 2020 and ending on 30 June 2020—\$150,000;
27 or

28 (ii) otherwise—\$30,000; and

29 **6 After subsection 40-82(4)**

30 Insert:

- 1 (4A) An entity is covered by this subsection for an income year in
 2 relation to an asset mentioned in subsection (1) if:
 3 (a) the entity starts to use the asset, or has the asset *installed
 4 ready for use, for a *taxable purpose in the period beginning
 5 on 12 March 2020 and ending on 30 June 2020; and
 6 (b) the entity is not a *small business entity for the income year;
 7 and
 8 (c) the entity would be a small business entity for the income
 9 year if:
 10 (i) each reference in Subdivision 328-C (about what is a
 11 small business entity) to \$10 million were instead a
 12 reference to \$500 million; and
 13 (ii) the reference in paragraph 328-110(5)(b) to a small
 14 business entity were instead a reference to an entity
 15 covered by this subsection in relation to the asset.
- 16 (4B) An entity is covered by this subsection for an income year in
 17 relation to an amount included as mentioned in subsection (3) if:
 18 (a) the amount is so included in the period beginning on
 19 12 March 2020 and ending on 30 June 2020; and
 20 (b) the entity is not a *small business entity for the income year;
 21 and
 22 (c) the entity would be a small business entity for the income
 23 year if:
 24 (i) each reference in Subdivision 328-C (about what is a
 25 small business entity) to \$10 million were instead a
 26 reference to \$500 million; and
 27 (ii) the reference in paragraph 328-110(5)(b) to a small
 28 business entity were instead a reference to an entity
 29 covered by this subsection in relation to the amount.

30 **7 Subsection 40-425(7A)**

31 Omit “less than \$30,000”, substitute “below a threshold”.

32 **8 Paragraph 328-180(1)(b) (note)**

33 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

34 **9 Paragraph 328-180(2)(a) (note)**

35 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

1 **10 Paragraph 328-180(3)(a) (note)**

2 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

3 **11 Subsection 328-210(1) (note 2)**

4 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

5 **12 Subsection 328-250(1) (note)**

6 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

7 **13 Subsection 328-250(4) (note)**

8 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

9 **14 Subsection 328-253(4) (note)**

10 Omit “\$25,000 or \$30,000”, substitute “\$25,000, \$30,000 or \$150,000”.

11 ***Income Tax (Transitional Provisions) Act 1997***

12 **15 Subsection 328-180(1)**

13 Insert:

14 *2020 announcement time* means the start of 12 March 2020.

15 **16 Subparagraphs 328-180(4)(c)(i) and (ii)**

16 Omit “on or before 30 June 2020”, substitute “before the 2020
17 announcement time”.

18 **17 At the end of subsection 328-180(4)**

19 Add:

- 20 ; or (d) were a reference to \$150,000, if you first acquired the asset at
21 or after the 2015 budget time, and you:
- 22 (i) first used the asset, for a taxable purpose, at or after the
23 2020 announcement time and on or before 30 June
24 2020; or
 - 25 (ii) first installed the asset ready for use, for a taxable
26 purpose, at or after the 2020 announcement time and on
27 or before 30 June 2020.

1 **18 Subparagraph 328-180(5)(c)(ii)**

2 Omit “on or before 30 June 2020”, substitute “before the 2020
3 announcement time”.

4 **19 At the end of subsection 328-180(5)**

5 Add:

6 ; or (d) were a reference to \$150,000, if the amount is so included at
7 any time:

- 8 (i) at or after the 2020 announcement time; and
9 (ii) on or before 30 June 2020.

10 **20 Subparagraph 328-180(6)(c)(ii)**

11 Omit “on or before 30 June 2020”, substitute “before the 2020
12 announcement time”.

13 **21 At the end of subsection 328-180(6)**

14 Add:

15 ; or (d) were a reference to \$150,000, in relation to a deduction for an
16 income year that ends:

- 17 (i) at or after the 2020 announcement time; and
18 (ii) on or before 30 June 2020.

1
2

Schedule 2—Backing business investment

3

Income Tax Assessment Act 1997

4

1 Subsection 40-35(1)

5

Omit “and Divisions 41, 328 and 775”, substitute “and the provisions referred to in subsection (3)”.

6

7

2 At the end of section 40-35

8

Add:

9

(3) The provisions are:

10

(a) Divisions 41, 328 and 775 of this Act; and

11

(b) Divisions 40 and 328 of the *Income Tax (Transitional Provisions) Act 1997*.

12

13

3 At the end of subsection 40-65(1) (after the notes)

14

Add:

15

Note 4: An accelerated decline in value applies to certain assets you start to hold between 12 March 2020 and 30 June 2021: see Subdivision 40-BA of the *Income Tax (Transitional Provisions) Act 1997*.

16

17

18

19

4 At the end of subsection 40-75(2) (after the notes)

20

Add:

21

Note 3: You must also adjust the formula if an accelerated decline in value applied to the asset under Subdivision 40-BA of the *Income Tax (Transitional Provisions) Act 1997*: see subsection 40-135(3) of that Act.

22

23

24

25

5 Section 705-45

26

Before “If:”, insert “(1)”.

27

6 At the end of section 705-45 (after the notes)

28

Add:

29

(2) If:

30

(a) an asset of the joining entity is a *depreciating asset to which Division 40 applies; and

31

- 1 (b) either of the following has applied before the joining entity
 2 became a *subsidiary member for the purposes of working
 3 out the asset's decline in value under Division 40:
 4 (i) section 40-82;
 5 (ii) Subdivision 40-BA of the *Income Tax (Transitional*
 6 *Provisions) Act 1997*; and
 7 (c) the asset's *tax cost setting amount would be greater than the
 8 joining entity's *terminating value for the asset;
 9 the asset's tax cost setting amount is reduced so that it equals the
 10 terminating value.

11 Note 1: The provisions referred to in paragraph (b) provide for an accelerated
 12 decline in value of certain assets.

13 Note 2: Unlike the position with a reduction in tax cost setting amount under
 14 section 705-40, the amount of the reduction is not re-allocated among
 15 other assets.

16 ***Income Tax (Transitional Provisions) Act 1997***

17 **7 After Subdivision 40-B**

18 Insert:

19 **40-BA—Backing business investment**

20 **Table of sections**

21	40-120	Backing business investment—accelerated decline in value for businesses with turnover less than \$500 million
22		
23	40-125	Backing business investment—when an asset of yours qualifies
24	40-130	Method for working out accelerated decline in value
25	40-135	Division 40 of the <i>Income Tax Assessment Act 1997</i> applies to later years

26 **40-120 Backing business investment—accelerated decline in value** 27 **for businesses with turnover less than \$500 million**

- 28 (1) For the purposes of Division 40 of the *Income Tax Assessment Act*
 29 *1997*, the decline in value of a depreciating asset for an income
 30 year is the amount worked out under section 40-130 if:
 31 (a) the income year is the year in which you start to use the asset,
 32 or have it installed ready for use, for a taxable purpose; and
 33 (b) subsection (2) (about businesses with turnover less than \$500
 34 million) applies to you for the year and for the income year in

1 which you started to hold the asset (if that was an earlier
2 year); and

3 (c) you are covered by section 40-125 for the asset.

4 Note: An effect of paragraph (1)(a) is that this Subdivision only applies to
5 one income year per asset. See also subsection 40-135(1).

6 *Businesses with turnover less than \$500 million*

7 (2) This subsection applies to you for an income year if you:

8 (a) are a small business entity; or

9 (b) would be a small business entity if:

10 (i) each reference in Subdivision 328-C of the *Income Tax*
11 *Assessment Act 1997* (about what is a small business
12 entity) to \$10 million were instead a reference to \$500
13 million; and

14 (ii) the reference in paragraph 328-110(5)(b) of that Act to a
15 small business entity were instead a reference to an
16 entity covered by this subsection.

17 *Exception—assets for which the decline in value is worked out*
18 *under section 40-82 or Subdivision 40-E or 40-F of the Income Tax*
19 *Assessment Act 1997*

20 (3) However, this section does not apply to a depreciating asset for an
21 income year if you work out the decline in value of the asset for the
22 income year under any of the following:

23 (a) section 40-82 of the *Income Tax Assessment Act 1997*;

24 (b) Subdivision 40-E or 40-F of that Act.

25 **40-125 Backing business investment—when an asset of yours**
26 **qualifies**

27 (1) For the purposes of paragraph 40-120(1)(c) and section 328-182,
28 you are covered by this section for a depreciating asset if, in the
29 period beginning on 12 March 2020 and ending on 30 June 2021,
30 you:

31 (a) start to hold the asset; and

32 (b) start to use it, or have it installed ready for use, for a taxable
33 purpose.

1 Note: Section 328-182 provides similar accelerated depreciation for small
 2 business entities that choose to use Subdivision 328-D of the *Income*
 3 *Tax Assessment Act 1997*.

4 *Exception—commitments already entered into*

- 5 (2) Despite subsection (1), you are *not* covered by this section for the
 6 asset if, before 12 March 2020, you:
 7 (a) entered into a contract under which you would hold the asset;
 8 or
 9 (b) started to construct the asset; or
 10 (c) started to hold the asset in some other way.
- 11 (3) Despite subsection (1), you are *not* covered by this section for an
 12 asset (the ***post-12 March 2020 asset***) if:
 13 (a) on a day before 12 March 2020, you:
 14 (i) enter into a contract under which you hold an asset on
 15 that day, or will hold the asset on a later day; or
 16 (ii) start to construct an asset; or
 17 (iii) start to hold an asset in some other way; and
 18 (b) on a day on or after 12 March 2020 (the ***conduct day***), you
 19 engage in conduct that results in you:
 20 (i) entering into a contract under which you hold the
 21 post-12 March 2020 asset on the conduct day, or will
 22 hold that asset on an even later day; or
 23 (ii) starting to construct the post-12 March 2020 asset; or
 24 (iii) starting to hold the post-12 March 2020 asset in some
 25 other way; and
 26 (c) the post-12 March 2020 asset is the asset mentioned in
 27 paragraph (a), or an identical or substantially similar asset;
 28 and
 29 (d) you engage in that conduct for the purpose, or for purposes
 30 that include the purpose, of becoming covered by this section
 31 for the post-12 March 2020 asset.
- 32 (4) For the purposes of subsections (2) and (3), treat yourself as having
 33 started to construct an asset at a time if you first incur expenditure
 34 in respect of the construction of the asset at that time.

- 1 (5) To avoid doubt, for the purposes of this section, you do not enter
2 into a contract under which you hold an asset merely because you
3 acquire an option to enter into such a contract.
- 4 (6) For the purposes of subsections (2), (3), (4) and (5), if a partner in
5 a partnership does any of the following things, treat the partnership
6 (instead of the partner) as having done the thing:
- 7 (a) entering into a contract under which the partnership would
8 hold the asset;
 - 9 (b) starting to construct the asset;
 - 10 (c) acquiring an option to enter into such a contract.

11 *Exception—second hand assets*

- 12 (7) Despite subsection (1), you are *not* covered by this section for the
13 asset if:
- 14 (a) another entity held the asset when it was first used, or first
15 installed ready for use, other than:
 - 16 (i) as trading stock; or
 - 17 (ii) merely for the purposes of reasonable testing or
18 trialling; or
 - 19 (b) you started holding the asset under section 40-115 of the
20 *Income Tax Assessment Act 1997* (about splitting a
21 depreciating asset) or section 40-125 of that Act (about
22 merging depreciating assets); or
 - 23 (c) you were already covered by this section for the asset as a
24 member of a consolidated group or a MEC group of which
25 you are no longer a member.
- 26 (8) However, paragraph (7)(a) does not apply in relation to an
27 intangible asset unless the asset was used for the purpose of
28 producing ordinary income before you first used it, or had it
29 installed ready for use, for any purpose. In applying this
30 subsection, disregard ordinary income that arises as a result of the
31 disposal of the asset to you.

32 *Exception—assets to which Division 40 does not apply*

- 33 (9) Despite subsection (1), you are *not* covered by this section for the
34 asset if Division 40 of the *Income Tax Assessment Act 1997* does
35 not apply to the asset because of section 40-45 of that Act.

Exception—assets not located in Australia

- (10) Despite subsection (1), you are *not* covered by this section for the asset if, at the time you first use the asset, or have it installed ready for use, for a taxable purpose:
- (a) it is not reasonable to conclude that you will use the asset principally in Australia for the principal purpose of carrying on a business; or
 - (b) it is reasonable to conclude that the asset will never be located in Australia.

40-130 Method for working out accelerated decline in value

- (1) For the purposes of section 40-120, the decline in value for the income year in which paragraph 40-120(1)(a) is satisfied (the *current year*) is:
- (a) if the asset's start time occurs in the current year—the amount worked out under subsection (2); or
 - (b) if the asset's start time occurred in an earlier year—the amount worked out under subsection (4).

Note 1: The asset's start time is when you first use it, or have it installed ready for use, for any purpose (including a non-taxable purpose): see subsection 40-60(2) of the *Income Tax Assessment Act 1997*.

Note 2: A case covered by paragraph (b) is where you start to hold the asset in the period 12 March 2020 to 30 June 2020 and use it for only non-taxable purposes in that period, then first use it for a taxable purpose in the period 1 July 2020 to 30 June 2021.

Current year is the year the asset starts to decline in value

- (2) If this subsection applies, the amount for the current year is the sum of the following amounts:
- (a) 50% of the asset's cost as at the end of the current year, disregarding any amount included in the second element of the asset's cost after 30 June 2021;
 - (b) the amount that would be the asset's decline in value for the current year under Division 40 of the *Income Tax Assessment Act 1997*, assuming its cost were reduced by the amount worked out under paragraph (a).

Note: Paragraph (a) effectively only requires you to disregard an amount included in the second element of cost if you have a substituted accounting period that ends after 30 June 2021.

1 (3) However, the amount worked out under subsection (2) for an
2 income year cannot be more than the amount that is the asset's cost
3 for the year.

4 *Asset had declined in value before the start of the current year*

5 (4) If this subsection applies, the amount for the current year is the
6 sum of the following amounts:

7 (a) 50% of the sum of the asset's opening adjustable value for
8 the current year and any amount included in the second
9 element of its cost for that year, disregarding any amount
10 included in that second element after 30 June 2021;

11 (b) the amount that would be the asset's decline in value for the
12 current year under Division 40 of the *Income Tax Assessment*
13 *Act 1997* assuming:

14 (i) for the diminishing value method—its base value were
15 reduced by the amount worked out under paragraph (a);
16 or

17 (ii) for the prime cost method—the component “Asset's
18 *cost” in the formula in subsection 40-75(1) of that Act
19 (as adjusted under that section) were reduced by the
20 amount worked out under paragraph (a).

21 Note: Paragraph (a) effectively only requires you to disregard an amount
22 included in the second element of cost if you have a substituted
23 accounting period that ends after 30 June 2021.

24 (5) However, the amount worked out under subsection (4) for an
25 income year cannot be more than:

26 (a) for the diminishing value method—the asset's base value for
27 the year; or

28 (b) for the prime cost method—the sum of its opening adjustable
29 value for the income year and any amount included in the
30 second element of its cost for that year.

31 **40-135 Division 40 of the *Income Tax Assessment Act 1997* applies to**
32 **later years**

33 (1) The decline in value of a depreciating asset is not worked out under
34 this Subdivision for an income year if this Subdivision already
35 applied in working out the decline in value of the asset for an
36 income year.

1 (2) For an income year later than the year in which the decline in value
2 is worked out under this Subdivision, the decline in value is
3 worked out under the other provisions of Division 40 of the *Income*
4 *Tax Assessment Act 1997*.

5 *Adjustment required for prime cost method*

6 (3) If you use the prime cost method for the asset, you must adjust the
7 formula in subsection 40-75(1) of the *Income Tax Assessment Act*
8 *1997* for the later year in the manner set out in subsection 40-75(3)
9 of that Act. The later year is the **change year** referred to in that
10 subsection.

11 *Balancing adjustment provisions*

12 (4) Subdivision 40-D of the *Income Tax Assessment Act 1997* has
13 effect as if the decline in value worked out under this Subdivision
14 had been worked out under Subdivision 40-B of that Act.

15 **8 After section 328-180**

16 Insert:

17 **328-182 Backing business investment**

18 Subsection 328-190(2) of the *Income Tax Assessment Act 1997*
19 applies to a depreciating asset as if a reference in that subsection to
20 15% were a reference to 57.5% if you are covered by
21 section 40-125 for the asset (which is about backing business
22 investment).

1 **Schedule 3—Boosting cash flow for**
2 **employers**
3

4 ***Income Tax Assessment Act 1997***

5 **1 Section 11-55 (after table item headed “capital gains tax”)**

6 Insert:

cash flow boost

payments in accordance with the *Boosting Cash Flow for* 59-90
Employers (Coronavirus Economic Response Package)
Act 2020

7 **2 At the end of Division 59**

8 Add:

9 **59-90 Cash flow boost**

10 A cash flow boost paid in accordance with the *Boosting Cash Flow*
11 *for Employers (Coronavirus Economic Response Package) Act*
12 *2020* is not assessable income and is not *exempt income.

13 ***Social Security Act 1991***

14 **3 At the end of subsection 8(8)**

15 Add:

16 ; (zt) a cash flow boost (within the meaning of the *Boosting Cash*
17 *Flow for Employers (Coronavirus Economic Response*
18 *Package) Act 2020*).

19 ***Taxation Administration Act 1953***

20 **4 Subsection 8AAB(4) (after table item 19)**

21 Insert:

19A 10 *Boosting Cash Flow for* wrong payment or overpayment
Employers (Coronavirus of a cash flow boost
Economic Response
Package) Act 2020

1 **5 Subsection 250-10(2) in Schedule 1 (at the end of the table)**

2 Add:

142 cash flow boost subsection 9(3) *Boosting Cash Flow
for Employers
(Coronavirus
Economic Response
Package) Act 2020*
overpayments

3 ***Veterans' Entitlements Act 1986***

4 **6 At the end of subsection 5H(8)**

5 Add:

6 ; (ztc) a cash flow boost (within the meaning of the *Boosting Cash*
7 *Flow for Employers (Coronavirus Economic Response*
8 *Package) Act 2020*).

1 **Schedule 4—Stimulus payments to**
2 **households to support growth**
3

4 *A New Tax System (Family Assistance) Act 1999*

5 **1 Subsection 3(1)**

6 Insert:

7 *2020 economic support payment* means:

- 8 (a) a first 2020 economic support payment; or
9 (b) a second 2020 economic support payment.

10 *first 2020 economic support payment* means a payment to which
11 an individual is entitled under Division 1 of Part 9.

12 *second 2020 economic support payment* means a payment to
13 which an individual is entitled under Division 2 of Part 9.

14 **2 After Part 8**

15 Insert:

16 **Part 9—2020 economic support payments**

17 **Division 1—First 2020 economic support payment**

18 **110 When is an individual entitled to a first 2020 economic support**
19 **payment?**

20 An individual is entitled to a first 2020 economic support payment
21 if subsection 116(2), (3) or (4) applies to the individual on a day in
22 the period:

- 23 (a) starting on 12 March 2020; and
24 (b) ending on 13 April 2020.

25 **111 What is the amount of the payment?**

26 The amount of an individual's first 2020 economic support
27 payment under this Division is \$750.

1 **112 More than one entitlement**

2 (1) If, at the time the Secretary determines whether an individual is
3 entitled to a first 2020 economic support payment under this
4 Division, 2 or more of subsections 116(2), (3) and (4) would
5 otherwise apply to the individual on a day or days occurring in the
6 period mentioned in section 110 (whether on the same day or
7 different days), then:

- 8 (a) the first of those subsections applies to the individual on that
9 day or those days; and
10 (b) none of the others apply to the individual during that period.

11 Note: For the purposes of sections 65JA (payment) and 72 (debts) of the
12 Family Assistance Administration Act, it is necessary to know which
13 subsection of section 116 of this Act applies.

14 (2) If:

- 15 (a) a first 2020 economic support payment under the ABSTUDY
16 Scheme; or
17 (b) a first 2020 economic support payment under Division 1 of
18 Part 2.6B of the *Social Security Act 1991*; or
19 (c) a first 2020 economic support payment under Division 1 of
20 Part IIIH of the *Veterans' Entitlements Act 1986*;

21 is paid to an individual, no payment under this Division can be
22 paid to the individual.

23 **Division 2—Second 2020 economic support payment**

24 **113 When is an individual entitled to a second 2020 economic**
25 **support payment?**

26 An individual is entitled to a second 2020 economic support
27 payment if:

- 28 (a) subsection 116(2), (3) or (4) applies to the individual on
29 10 July 2020; and
30 (b) the individual does not receive COVID-19 supplement under
31 the *Social Security Act 1991* in respect of 10 July 2020.

32 **114 What is the amount of the payment?**

33 The amount of an individual's second 2020 economic support
34 payment under this Division is \$750.

1 **115 More than one entitlement**

2 (1) If, at the time the Secretary determines whether an individual is
3 entitled to a second 2020 economic support payment under this
4 Division, 2 or more of subsections 116(2), (3) and (4) would
5 otherwise apply to the individual on 10 July 2020, then:

6 (a) the first of those subsections applies to the individual on
7 10 July 2020; and

8 (b) none of the others apply to the individual on 10 July 2020.

9 Note: For the purposes of sections 65JB (payment) and 72 (debts) of the
10 Family Assistance Administration Act, it is necessary to know which
11 subsection of section 116 of this Act applies.

12 (2) If:

13 (a) a second 2020 economic support payment under the
14 ABSTUDY Scheme; or

15 (b) a second 2020 economic support payment under Division 2
16 of Part 2.6B of the *Social Security Act 1991*; or

17 (c) a second 2020 economic support payment under Division 2
18 of Part IIIH of the *Veterans' Entitlements Act 1986*;

19 is paid to an individual, no payment under this Division can be
20 paid to the individual.

21 **Division 3—Eligibility for 2020 economic support payment**

22 **116 Eligibility for 2020 economic support payment**

23 (1) This section applies for the purposes of section 110 and
24 paragraph 113(a).

25 (2) Subject to subsection (5) of this section, this subsection applies to
26 an individual on a day if:

27 (a) in relation to that day, a determination under section 16 of the
28 Family Assistance Administration Act is in force in respect
29 of the individual as a claimant; and

30 (b) the rate of family tax benefit payable under the determination
31 in relation to that day consists of or includes a Part A or Part
32 B rate greater than nil.

33 (3) Subject to subsection (5) of this section, this subsection applies to
34 an individual on a day if:

- 1 (a) in relation to that day, a determination under section 17 of the
2 Family Assistance Administration Act is in force in respect
3 of the individual as a claimant; and
4 (b) the rate of family tax benefit payable under the determination
5 in relation to that day consists of or includes a Part A or Part
6 B rate greater than nil; and
7 (c) the determination is made as a result of a claim made in:
8 (i) the income year in which that day occurs; or
9 (ii) either of the next 2 income years.

- 10 (4) Subject to subsection (5) of this section, this subsection applies to
11 an individual on a day if:
12 (a) in relation to that day, a determination under section 18 of the
13 Family Assistance Administration Act is in force in respect
14 of the individual as a claimant; and
15 (b) the rate of family tax benefit payable under the determination
16 in relation to that day consists of or includes a Part A or Part
17 B rate greater than nil; and
18 (c) the determination is made as a result of a claim made in:
19 (i) the income year in which that day occurs; or
20 (ii) a later income year.

21 *Residence requirement*

- 22 (5) Subsection (2), (3) or (4) does not apply to an individual on a day
23 if the individual does not reside in Australia on that day.

24 ***A New Tax System (Family Assistance) (Administration) Act***
25 ***1999***

26 **3 After Division 4D of Part 3**

27 Insert:

28 **Division 4DA—2020 economic support payment**

29 **65JA Payment of first 2020 economic support payment**

- 30 (1) If an individual is entitled to a first 2020 economic support
31 payment, the Secretary must, subject to subsection (2), pay the
32 payment to the individual in a single lump sum:

1 (a) on the date that the Secretary considers to be the earliest date
2 on which it is reasonably practicable for the payment to be
3 paid; and

4 (b) in such manner as the Secretary considers appropriate.

5 Note: The individual does not have to make a claim for the payment.

6 (2) The Secretary must not pay the payment on or after 1 July 2022 if
7 the individual is entitled to the payment because subsection 116(2)
8 or (4) of the Family Assistance Act applies to the individual on a
9 day.

10 **65JB Payment of second 2020 economic support payment**

11 (1) If an individual is entitled to a second 2020 economic support
12 payment, the Secretary must, subject to subsection (2), pay the
13 payment to the individual in a single lump sum:

14 (a) on the date, occurring on or after 10 July 2020, that the
15 Secretary considers to be the earliest date on which it is
16 reasonably practicable for the payment to be paid; and

17 (b) in such manner as the Secretary considers appropriate.

18 Note: The individual does not have to make a claim for the payment.

19 (2) The Secretary must not pay the payment on or after 1 July 2023 if
20 the individual is entitled to the payment because subsection 116(2)
21 or (4) of the Family Assistance Act applies to the individual on
22 10 July 2020.

23 **4 At the end of subsection 66(1)**

24 Add:
25 ; (l) 2020 economic support payment.

26 **5 Section 70**

27 Omit “or ETR payment”, substitute “, ETR payment or 2020 economic
28 support payment”.

29 **6 After section 71M**

30 Insert:

1 **72 Debts arising in respect of 2020 economic support payment**

2 (1) This section applies in relation to an individual who has been paid
3 a 2020 economic support payment because subsection 116(2), (3)
4 or (4) of the Family Assistance Act applied to the individual on a
5 day.

6 (2) If:

7 (a) after the payment was paid to the individual, the
8 determination mentioned in that subsection of the Family
9 Assistance Act, at least so far as the determination relates to
10 that day, is or was (however described) changed, revoked, set
11 aside, or superseded by another determination; and

12 (b) the decision to change, revoke, set aside or supersede the
13 determination is or was made for the reason, or for reasons
14 including the reason, that the individual knowingly made a
15 false or misleading statement, or knowingly provided false
16 information; and

17 (c) had the change, revocation, setting aside or superseding
18 occurred on or before that day, the payment would not have
19 been paid;

20 the amount of the payment is a debt due to the Commonwealth by
21 the individual.

22 **7 Paragraph 74(a)**

23 Omit “or ETR payment”, substitute “, ETR payment or 2020 economic
24 support payment”.

25 **8 Subsection 93A(6) (at the end of the definition of *family***
26 ***assistance payment*)**

27 Add:

28 ; or (h) a payment of 2020 economic support payment.

29 **9 Subsections 106(3) and 109D(4)**

30 Omit “or ETR payment”, substitute “, ETR payment or 2020 economic
31 support payment”.

32 **10 Paragraph 109D(5)(a)**

33 Omit “or ETR payment”, substitute “, ETR payment or 2020 economic
34 support payment”.

1 **11 Section 219TA (at the end of the definition of *relevant***
2 ***benefit*)**

3 Add:
4 ; or (n) 2020 economic support payment.

5 ***Income Tax Assessment Act 1997***

6 **12 Section 11-15 (table item headed “family assistance”)**

7 After:
economic security strategy payment to families 52-150

8 insert:
economic support payment, first or second 2020 52-150
payment

9 **13 Section 11-15 (table item headed “social security or like**
10 **payments”)**

11 After:
economic security strategy payment under the *Social*
Security Act 1991..... 52-10

12 insert:
economic support payment, first or second 2020
payment under the *Social Security Act 1991* 52-10
economic support payment, first or second 2020
payment under the *Veterans’ Entitlements Act 1986*... 52-65

13 **14 After paragraph 52-10(1)(ac)**

14 Insert:
15 (ad) first 2020 economic support payment under the *Social*
16 *Security Act 1991*; or
17 (ae) second 2020 economic support payment under the *Social*
18 *Security Act 1991*; or

19 **15 After subsection 52-10(1AD)**

20 Insert:
21 (1B) The following payments are exempt from income tax:
22 (a) first 2020 economic support payments under Division 1 of
23 Part 2.6B of the *Social Security Act 1991*;

1 (b) second 2020 economic support payments under Division 2 of
2 Part 2.6B of the *Social Security Act 1991*.

3 **16 Section 52-40 (before table item 1)**

4 Insert:

5
1A 2020 economic support payment Part 2.6B Not applicable Not applicable

6 **17 After paragraph 52-65(1)(c)**

7 Insert:

8 (d) first 2020 economic support payments under the *Veterans'*
9 *Entitlements Act 1986*; or
10 (da) second 2020 economic support payments under the *Veterans'*
11 *Entitlements Act 1986*; or

12 **18 After subsection 52-65(1H)**

13 Insert:

14 (1J) The following payments are exempt from income tax:
15 (a) first 2020 economic support payments under Division 1 of
16 Part IIIH of the *Veterans' Entitlements Act 1986*;
17 (b) second 2020 economic support payments under Division 2 of
18 Part IIIH of the *Veterans' Entitlements Act 1986*.

19 **19 Section 52-75 (before table item 1)**

20 Insert:

21
1A 2020 economic support payment Part IIIH Not applicable

22 **20 Subsection 52-131(2)**

23 Repeal the subsection, substitute:

24 (2) The following payments made to you under the ABSTUDY
25 scheme are exempt from income tax:
26 (a) a crisis payment;
27 (b) a clean energy payment;
28 (c) a first 2020 economic support payment;

1 (d) a second 2020 economic support payment.

2 **21 After paragraph 52-131(8)(aa)**

3 Insert:

4 (ab) a first 2020 economic support payment; or

5 (ac) a second 2020 economic support payment; or

6 **22 Section 52-150**

7 Omit “or ETR payment”, substitute “, ETR payment, first 2020
8 economic support payment or second 2020 economic support payment”.

9 ***Social Security Act 1991***

10 **23 Paragraph 8(8)(jaa)**

11 Omit “or ETR payment”, substitute “, ETR payment, first 2020
12 economic support payment or second 2020 economic support payment”.

13 **24 After paragraph 8(8)(yl)**

14 Insert:

15 (ym) a first 2020 economic support payment under Division 1 of
16 Part IIIH of the Veterans’ Entitlements Act;

17 (yn) a second 2020 economic support payment under Division 2
18 of Part IIIH of the Veterans’ Entitlements Act;

19 **25 After paragraph 23(4AA)(ab)**

20 Insert:

21 (ac) Part 2.6B (2020 economic support payments);

22 **26 After Part 2.6A**

23 Insert:

1 **Part 2.6B—2020 economic support payments**

2 **Division 1—First 2020 economic support payment**

3 **304 First 2020 economic support payment**

4 *Qualification for payment*

5 (1) A person is qualified for a first 2020 economic support payment if
6 subsection 308(2), (3) or (4) applies to the person on a day in the
7 period:

- 8 (a) starting on 12 March 2020; and
9 (b) ending on 13 April 2020.

10 *More than one entitlement*

11 (2) A person may receive one payment only under this Division,
12 regardless of how many times the person qualifies under this
13 section.

14 (3) If:

- 15 (a) a first 2020 economic support payment under the ABSTUDY
16 Scheme; or
17 (b) a first 2020 economic support payment under Division 1 of
18 Part 9 of the Family Assistance Act; or
19 (c) a first 2020 economic support payment under Division 1 of
20 Part IIIH of the Veterans' Entitlements Act;

21 is paid to a person, no payment under this section can be paid to
22 the person.

23 **305 Amount of first 2020 economic support payment**

24 The amount of a person's first 2020 economic support payment
25 under this Division is \$750.

1 **Division 2—Second 2020 economic support payment**

2 **306 Second 2020 economic support payment**

3 *Qualification for payment*

4 (1) A person is qualified for a second 2020 economic support payment
5 if:

6 (a) subsection 308(2), (3) or (4) applies to the person on 10 July
7 2020; and

8 (b) the person does not receive COVID-19 supplement in respect
9 of 10 July 2020.

10 *More than one entitlement*

11 (2) A person may receive one payment only under this Division,
12 regardless of how many times the person qualifies under this
13 section.

14 (3) If:

15 (a) a second 2020 economic support payment under the
16 ABSTUDY Scheme; or

17 (b) a second 2020 economic support payment under Division 2
18 of Part 9 of the Family Assistance Act; or

19 (c) a second 2020 economic support payment under Division 2
20 of Part IIIH of the Veterans' Entitlements Act;

21 is paid to a person, no payment under this Division can be paid to
22 the person.

23 **307 Amount of second 2020 economic support payment**

24 The amount of a person's second 2020 economic support payment
25 under this Division is \$750.

26 **Division 3—Eligibility**

27 **308 Eligibility**

28 (1) This section applies for the purposes of subsection 304(1) and
29 paragraph 306(1)(a).

1 *Receipt of certain benefits*

- 2 (2) Subject to subsection (5) of this section, this subsection applies to a
3 person on a day if the person receives one of the following benefits
4 in respect of that day:
- 5 (a) age pension;
 - 6 (b) disability support pension;
 - 7 (c) wife pension;
 - 8 (d) carer payment;
 - 9 (e) bereavement allowance;
 - 10 (f) widow B pension;
 - 11 (g) widow allowance;
 - 12 (h) parenting payment;
 - 13 (i) youth allowance;
 - 14 (j) austudy payment;
 - 15 (k) newstart allowance;
 - 16 (l) jobseeker payment;
 - 17 (m) sickness allowance;
 - 18 (n) special benefit;
 - 19 (o) partner allowance;
 - 20 (p) carer allowance;
 - 21 (q) double orphan pension.

22 Note: References to youth allowance, newstart allowance and jobseeker
23 payment include references to farm household allowance: see
24 section 93 of the *Farm Household Support Act 2014*.

25 *Qualified for seniors health card*

- 26 (3) Subject to subsection (5) of this section, this subsection applies to a
27 person on a day if:
- 28 (a) the person makes a claim for a seniors health card under
29 Division 1 of Part 3 of the Administration Act on or before
30 that day; and
 - 31 (b) the person does not withdraw that claim on or before that
32 day; and
 - 33 (c) the person is qualified for the card on that day.

1 *Qualified for pensioner concession card*

2 (4) Subject to subsection (5) of this section, this subsection applies to a
3 person on a day if the person is qualified for a pensioner
4 concession card on that day.

5 *Residence requirement*

6 (5) Subsection (2), (3) or (4) does not apply to a person on a day if the
7 person does not reside in Australia on that day.

8 **27 Subsection 1222(2) (after table item 4G)**

9 Insert:

4H	1223ABI (debts in respect of first 2020 economic support payments)	deductions legal proceedings garnishee notice repayment by instalments	1231, 1234A 1232 1233 1234
4J	1223ABJ (debts in respect of second 2020 economic support payments)	deductions legal proceedings garnishee notice repayment by instalments	1231, 1234A 1232 1233 1234

10 **28 After section 1223ABH**

11 Insert:

12 **1223ABI Debts in respect of first 2020 economic support payments**

13 (1) If:

- 14 (a) a first 2020 economic support payment under Division 1 of
15 Part 2.6B is paid to a person; and
- 16 (b) after the first 2020 economic support payment is paid to the
17 person, an underlying determination in relation to the person,
18 at least so far as it relates to:
- 19 (i) a day included in the period mentioned in
20 subsection 304(1); or
- 21 (ii) a period that includes such a day;
22 is or was (however described) changed, revoked, set aside, or
23 superseded by another determination; and
- 24 (c) the decision to change, revoke, set aside or supersede the
25 underlying determination is or was made for the reason, or
26 for reasons including the reason, that the person knowingly
-

-
- 1 made a false or misleading statement, or knowingly provided
 2 false information; and
- 3 (d) had the change, revocation, setting aside or superseding
 4 occurred on or before that day, the first 2020 economic
 5 support payment would not have been paid;
 6 the amount of the first 2020 economic support payment is a debt
 7 due to the Commonwealth by the person.
- 8 (2) For the purposes of this section, an *underlying determination* in
 9 relation to a person is a determination made under Part 3 of the
 10 Administration Act because of which a benefit mentioned in
 11 subsection 308(2) of this Act was payable to the person.
- 12 (3) If:
- 13 (a) a first 2020 economic support payment under Division 1 of
 14 Part 2.6B is paid to a person; and
- 15 (b) the person qualified for the payment because of
 16 subsection 308(3) applying to the person in relation to having
 17 made a claim for a seniors health card; and
- 18 (c) the person knowingly made a false or misleading statement,
 19 or knowingly provided false information, in relation to the
 20 claim; and
- 21 (d) the first 2020 economic support payment would not have
 22 been paid to the person but for that statement or information;
 23 the amount of the first 2020 economic support payment is a debt
 24 due to the Commonwealth by the person.
- 25 (4) Apart from section 1224AA, the other provisions of this Part under
 26 which debts arise do not apply in relation to first 2020 economic
 27 support payments under Division 1 of Part 2.6B.

28 **1223ABJ Debts in respect of second 2020 economic support**
 29 **payments**

- 30 (1) If:
- 31 (a) a second 2020 economic support payment under Division 2
 32 of Part 2.6B is paid to a person; and
- 33 (b) after the second 2020 economic support payment is paid to
 34 the person, an underlying determination in relation to the
 35 person, at least so far as it relates to:
 36 (i) 10 July 2020; or

- 1 (ii) a period that includes 10 July 2020;
2 is or was (however described) changed, revoked, set aside, or
3 superseded by another determination; and
4 (c) the decision to change, revoke, set aside or supersede the
5 underlying determination is or was made for the reason, or
6 for reasons including the reason, that the person knowingly
7 made a false or misleading statement, or knowingly provided
8 false information; and
9 (d) had the change, revocation, setting aside or superseding
10 occurred on or before 10 July 2020, the second 2020
11 economic support payment would not have been paid;
12 the amount of the second 2020 economic support payment is a debt
13 due to the Commonwealth by the person.
- 14 (2) For the purposes of this section, an *underlying determination* in
15 relation to a person is a determination made under Part 3 of the
16 Administration Act because of which a benefit mentioned in
17 subsection 308(2) of this Act was payable to the person.
- 18 (3) If:
- 19 (a) a second 2020 economic support payment under Division 2
20 of Part 2.6B is paid to a person; and
21 (b) the person qualified for the payment because of
22 subsection 308(3) applying to the person in relation to having
23 made a claim for a seniors health card; and
24 (c) the person knowingly made a false or misleading statement,
25 or knowingly provided false information, in relation to the
26 claim; and
27 (d) the second 2020 economic support payment would not have
28 been paid to the person but for that statement or information;
29 the amount of the second 2020 economic support payment is a debt
30 due to the Commonwealth by the person.
- 31 (4) Apart from section 1224AA, the other provisions of this Part under
32 which debts arise do not apply in relation to second 2020 economic
33 support payments under Division 2 of Part 2.6B.

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

2 **29 After section 12AD**

3 Insert:

4 **12AE 2020 economic support payment**

5 A claim is not required for:

- 6 (a) a first 2020 economic support payment under Division 1 of
7 Part 2.6B of the 1991 Act; or
8 (b) a second 2020 economic support payment under Division 2
9 of Part 2.6B of the 1991 Act.

10 **30 Subsection 47(1) (after paragraph (gf) of the definition of**
11 ***lump sum benefit*)**

12 Insert:

- 13 (gg) first 2020 economic support payment under Division 1 of
14 Part 2.6B of the 1991 Act; or
15 (gh) second 2020 economic support payment under Division 2 of
16 Part 2.6B of the 1991 Act; or

17 **31 After section 47AD**

18 Insert:

19 **47AE Payment of first 2020 economic support payment**

- 20 (1) If a person is qualified for a first 2020 economic support payment
21 under Division 1 of Part 2.6B of the 1991 Act, the Secretary must,
22 subject to subsection (2), pay the payment to the person in a single
23 lump sum:
24 (a) on the date that the Secretary considers to be the earliest date
25 on which it is reasonably practicable for the payment to be
26 paid; and
27 (b) in such manner as the Secretary considers appropriate.
28 (2) The Secretary must not pay the payment on or after 1 July 2022.

1 **47AF Payment of second 2020 economic support payment**

- 2 (1) If a person is qualified for a second 2020 economic support
3 payment under Division 2 of Part 2.6B of the 1991 Act, the
4 Secretary must, subject to subsection (2), pay the payment to the
5 person in a single lump sum:
6 (a) on the date, occurring on or after 10 July 2020, that the
7 Secretary considers to be the earliest date on which it is
8 reasonably practicable for the payment to be paid; and
9 (b) in such manner as the Secretary considers appropriate.
- 10 (2) The Secretary must not pay the payment on or after 1 July 2023.

11 **32 Section 123TC**

12 Insert:

13 *2020 economic support payment* means:

- 14 (a) a first 2020 economic support payment under Division 1 of
15 Part 2.6B of the 1991 Act; or
16 (b) a second 2020 economic support payment under Division 2
17 of Part 2.6B of the 1991 Act; or
18 (c) a first 2020 economic support payment under the ABSTUDY
19 Scheme; or
20 (d) a second 2020 economic support payment under the
21 ABSTUDY Scheme; or
22 (e) a first 2020 economic support payment under Division 1 of
23 Part 9 of the Family Assistance Act; or
24 (f) a second 2020 economic support payment under Division 2
25 of Part 9 of the Family Assistance Act.

26 **33 Subdivision DB of Division 5 of Part 3B (heading)**

27 Omit “Economic”, substitute “2020 economic support payments,
28 economic”.

29 **34 Before section 123XPC**

30 Insert:

1 **123XPBA Deductions from 2020 economic support payments**

2 *Scope*

- 3 (1) This section applies if:
4 (a) a person is subject to the income management regime; and
5 (b) a 2020 economic support payment is payable to the person.

6 *Deductions from 2020 economic support payments*

- 7 (2) The following provisions have effect:
8 (a) the Secretary must deduct from the 2020 economic support
9 payment the deductible portion of the payment;
10 (b) an amount equal to the deductible portion of the payment is
11 credited to the Income Management Record;
12 (c) an amount equal to the deductible portion of the payment is
13 credited to the person's income management account.
- 14 (3) For the purposes of subsection (2), the *deductible portion* of a
15 2020 economic support payment is 100% of the amount of the
16 payment.

17 **35 Subsection 124PD(1) (after subparagraph (a)(vii) of the**
18 **definition of *restrictable payment*)**

19 Insert:

- 20 (viiia) a first 2020 economic support payment under Division 1
21 of Part 2.6B of the 1991 Act; or
22 (viiib) a second 2020 economic support payment under
23 Division 2 of Part 2.6B of the 1991 Act; or
24 (viiic) a first 2020 economic support payment under the
25 ABSTUDY Scheme; or
26 (viid) a second 2020 economic support payment under the
27 ABSTUDY Scheme; or
28 (viie) a first 2020 economic support payment under Division 1
29 of Part 9 of the Family Assistance Act; or
30 (viif) a second 2020 economic support payment under
31 Division 2 of Part 9 of the Family Assistance Act; or

1 ***Veterans' Entitlements Act 1986***

2 **36 Paragraph 5H(8)(paa)**

3 Omit “or ETR payment”, substitute “, ETR payment, first 2020
4 economic support payment or second 2020 economic support payment”.

5 **37 After paragraph 5H(8)(zzak)**

6 Insert:

7 (zzal) a first 2020 economic support payment under Division 1 of
8 Part IIIH;

9 (zzam) a second 2020 economic support payment under Division 2
10 of Part IIIH;

11 **38 After Part III G**

12 Insert:

13 **Part IIIH—2020 economic support payment**

14 **Division 1—First 2020 economic support payment**

15 **67L First 2020 economic support payment**

16 (1) A person is eligible for a first 2020 economic support payment if
17 Division 3 applies to the person on a day in the period:

18 (a) starting on 12 March 2020; and

19 (b) ending on 13 April 2020.

20 (2) The amount of a person's first 2020 economic support payment
21 under this Division is \$750.

22 **67M More than one entitlement**

23 (1) A person may receive one payment only under this Division,
24 regardless of how many times the person becomes eligible under
25 section 67L.

26 (2) If:

27 (a) a first 2020 economic support payment under the ABSTUDY
28 Scheme; or

- 1 (b) a first 2020 economic support payment under Division 1 of
2 Part 9 of the Family Assistance Act; or
3 (c) a first 2020 economic support payment under Division 1 of
4 Part 2.6B of the Social Security Act;
5 is paid to a person, no payment under this Division can be paid to
6 the person.

7 **67N Claim not required for first 2020 economic support payment**

8 A claim is not required for a first 2020 economic support payment
9 under this Division.

10 **67P Payment of first 2020 economic support payment**

- 11 (1) If a person is eligible for a first 2020 economic support payment
12 under this Division, the Commission must, subject to
13 subsection (2), pay the payment to the person in a single lump sum:
14 (a) on the date that the Commission considers to be the earliest
15 date on which it is reasonably practicable for the payment to
16 be paid; and
17 (b) in such manner as the Commission considers appropriate.
18 (2) The Commission must not pay the payment on or after 1 July 2022.

19 **Division 2—Second 2020 economic support payment**

20 **67Q Second 2020 economic support payment**

- 21 (1) A person is eligible for a second 2020 economic support payment
22 if:
23 (a) Division 3 applies to the person on 10 July 2020; and
24 (b) the person does not receive COVID-19 supplement under the
25 Social Security Act in respect of 10 July 2020.
26 (2) The amount of a person's second 2020 economic support payment
27 under this Division is \$750.

1 **67R More than one entitlement**

- 2 (1) A person may receive one payment only under this Division,
3 regardless of how many times the person becomes eligible under
4 section 67Q.
- 5 (2) If:
- 6 (a) a second 2020 economic support payment under the
7 ABSTUDY Scheme; or
- 8 (b) a second 2020 economic support payment under Division 2
9 of Part 9 of the Family Assistance Act; or
- 10 (c) a second 2020 economic support payment under Division 2
11 of Part 2.6B of the Social Security Act;
- 12 is paid to a person, no payment under this Division can be paid to
13 the person.

14 **67S Claim not required for second 2020 economic support payment**

15 A claim is not required for a second 2020 economic support
16 payment under this Division.

17 **67T Payment of second 2020 economic support payment**

- 18 (1) If a person is eligible for a second 2020 economic support payment
19 under this Division, the Commission must, subject to
20 subsection (2), pay the payment to the person in a single lump sum:
- 21 (a) on the date, occurring on or after 10 July 2020, that the
22 Commission considers to be the earliest date on which it is
23 reasonably practicable for the payment to be paid; and
24 (b) in such manner as the Commission considers appropriate.
- 25 (2) The Commission must not pay the payment on or after 1 July 2023.

26 **Division 3—Eligibility**

27 **67U Purpose of this Division**

28 This Division applies for the purposes of subsection 67L(1) and
29 paragraph 67Q(1)(a).

30 Note: Sections 67V to 67ZA are subject to section 67ZB (residence
31 requirement).

67V Payments under this Act*Service pension or income support supplement*

- (1) This Division applies to a person on a day if service pension or income support supplement is payable to the person on that day.
- (2) For the purposes of subsection (1), and without limiting that subsection, service pension or income support supplement is taken to be payable to a person on a day (the *test day*) if:
- (a) service pension or income support supplement ceases to be payable to the person on a day (the *cessation day*) occurring on or before the test day; and
 - (b) that cessation occurs because of employment income the person or the person's partner earns, derives or receives (either alone or in combination with any other ordinary income earned, derived or received by the person or the person's partner); and
 - (c) were it not for the employment income, or the combined income, referred to in paragraph (b), the pension or supplement would be payable to the person throughout the period:
 - (i) starting on the cessation day; and
 - (ii) ending on the test day; and
 - (d) the cessation day occurs no earlier than 12 weeks before the test day.

Disability pension or war widow's/widower's pension under Part II or IV

- (3) This Division applies to a person on a day if:
- (a) the person receives for that day a pension under Part II or IV at a rate determined under or by reference to section 22, 23, 24, 25 or 27; and
 - (b) the person's rate of the pension is greater than nil for that day.
- (4) This Division applies to a person on a day if:
- (a) the person receives for that day a pension under Part II or IV at a rate determined under or by reference to subsection 30(1); and

1 (b) the person's rate of the pension is greater than nil for that
2 day.

3 (5) For the purposes of subsections (3) and (4), a person is taken to
4 receive a pension under Part II or IV at a rate greater than nil even
5 if the person's rate would be nil, or pension would not be payable,
6 merely because the rate is reduced, or pension is not payable, under
7 Division 4, 5 or 5A of Part II or section 74.

8 *Veteran payment*

9 (6) This Division applies to a person on a day if:
10 (a) veteran payment is payable to the person on that day; and
11 (b) veteran payment is so payable because of a claim made on or
12 before that day.

13 **67W Veterans' Children Education Scheme**

14 This Division applies to a person on a day if:
15 (a) a payment under the Veterans' Children Education Scheme is
16 payable to the person on that day; and
17 (b) the payment is so payable because of a claim the person
18 makes on or before that day; and
19 (c) the person turns 16 on or before that day.

20 **67X Seniors health card, gold card etc.**

21 *Seniors health card*

22 (1) This Division applies to a person on a day if:
23 (a) the person makes a claim for a seniors health card under
24 Division 2 of Part VIIC on or before that day; and
25 (b) the person does not withdraw that claim on or before that
26 day; and
27 (c) the person is eligible for the card on that day.
28 (2) This Division applies to a person on a day if:
29 (a) the person is the holder of a seniors health card on that day
30 because of subsection 118XA(3); and
31 (b) the person is eligible for the card on that day.

Gold card

- 1
- 2 (3) This Division applies to a person on a day if:
- 3 (a) the person is, on that day, the holder of a card, known as the
- 4 Repatriation Health Card—For All Conditions, that
- 5 evidences the person’s eligibility under this Act or the
- 6 MRCA to be provided with treatment for all injuries or
- 7 diseases; and
- 8 (b) the person is eligible for the card on that day.
- 9 (4) This Division applies to a person on a day if:
- 10 (a) the person makes a claim, on or before that day, under:
- 11 (i) section 8 of the *Australian Participants in British*
- 12 *Nuclear Tests and British Commonwealth Occupation*
- 13 *Force (Treatment) Act 2006*; or
- 14 (ii) section 9 of the *Treatment Benefits (Special Access) Act*
- 15 *2019*;
- 16 for a determination that he or she is an eligible person; and
- 17 (b) the person does not withdraw that claim on or before that
- 18 day; and
- 19 (c) the person is an eligible person (within the meaning of that
- 20 Act) on that day.

Fringe benefits

- 21
- 22 (5) This Division applies to a person on a day if the person is eligible
- 23 for fringe benefits under subsection 53A(1A) of this Act on that
- 24 day.

67Y MRCA*Compensation for permanent impairment*

- 25
- 26
- 27 (1) This Division applies to a person on a day if either or both of the
- 28 following apply:
- 29 (a) weekly compensation under Part 2 of Chapter 4 of the
- 30 MRCA:
- 31 (i) is payable to the person for that day; or

- 1 (ii) would be payable to the person for that day apart from
2 paragraph 398(3)(b) of the MRCA and offsetting
3 described in subsection 13(4) of the *Military*
4 *Rehabilitation and Compensation (Consequential and*
5 *Transitional Provisions) Act 2004;*
6 (b) the person receives lump sum compensation under Part 2 of
7 Chapter 4 of the MRCA on or before that day.

8 *Special Rate Disability Pension*

- 9 (2) This Division applies to a person on a day if Special Rate
10 Disability Pension under the MRCA:
11 (a) is payable to the person for that day; or
12 (b) would be payable to the person for that day apart from
13 section 204, and paragraph 398(3)(b), of the MRCA.

14 *Compensation for wholly dependent partners*

- 15 (3) This Division applies to a person on a day if either or both of the
16 following apply:
17 (a) weekly compensation under Division 2 of Part 2 of Chapter 5
18 of the MRCA either:
19 (i) is payable to the person for that day; or
20 (ii) would be payable to the person for that day apart from
21 paragraph 398(3)(b) of the MRCA;
22 (b) both:
23 (i) the person receives lump sum compensation under
24 Division 2 of Part 2 of Chapter 5 of the MRCA on or
25 before that day; and
26 (ii) subsection 388(6) of the MRCA does not apply to the
27 person before that day.

28 **67Z Education scheme under MRCA**

- 29 This Division applies to a person on a day if:
30 (a) a payment under the scheme determined under section 258 of
31 the MRCA is payable to the person on that day; and
32 (b) the payment is so payable because of a claim the person
33 makes on or before that day; and
34 (c) the person turns 16 on or before that day.

1 **67ZA *Safety, Rehabilitation and Compensation (Defence-related***
2 ***Claims) Act 1988***

3 This Division applies to a person on a day if:

- 4 (a) at any time, the person receives a payment of compensation
5 under section 24 of the *Safety, Rehabilitation and*
6 *Compensation (Defence-related Claims) Act 1988*; and
7 (b) the payment is paid because of a claim the person makes on
8 or before that day.

9 **67ZB *Residence requirement***

10 Despite sections 67V to 67ZA, this Division does not apply to a
11 person on a day if the person does not reside in Australia on that
12 day.

1 **Schedule 5—Delegation by Director of Human**
2 **Biosecurity**
3

4 ***Biosecurity Act 2015***

5 **1 At the end of Part 3 of Chapter 10**

6 Add:

7 **544A Delegation of Director’s functions or powers relating to**
8 **human biosecurity control orders**

9 (1) The Director of Human Biosecurity may, in writing, delegate any
10 or all of the Director’s functions or powers under Part 3 of
11 Chapter 2 (human biosecurity control orders) to an SES employee,
12 or an acting SES employee, in the Health Department who is a
13 human biosecurity officer.

14 Note 1: The expressions *SES employee* and *acting SES employee* are defined
15 in section 2B of the *Acts Interpretation Act 1901*.

16 Note 2: See also sections 34AA to 34A of the *Acts Interpretation Act 1901*,
17 which contain extra rules about delegations.

18 (2) In performing any functions or exercising any powers under a
19 delegation made under subsection (1), the delegate must comply
20 with any directions of the Director of Human Biosecurity.

21 (3) A human biosecurity officer cannot, under a delegation made under
22 subsection (1), perform a function or exercise a power under
23 section 72 in relation to a human biosecurity control order if the
24 human biosecurity officer:

- 25 (a) imposed the order under paragraph 60(1)(b); or
26 (b) made the request under subsection 71(3) in relation to the
27 order.

1 **Schedule 6—Environmental management**
2 **charges**
3

4 ***Great Barrier Reef Marine Park Regulations 2019***

5 **1 At the end of section 217**

6 Add:

7 *Coronavirus economic response*

8 (5) However, the amount of the standard tourist program charge that is
9 payable for a day in the period beginning on 1 April 2020 and
10 ending on 31 December 2020 is nil. This subsection does not affect
11 the calculation in subsection (3).

12 (6) Subsection (5) and this subsection are repealed at the end of
13 31 December 2020.

14 **2 At the end of section 219**

15 Add:

16 *Coronavirus economic response*

17 (3) However, the amount of the standard tourist program charge that is
18 payable for a tour that takes 3 hours or less on a day in the period
19 beginning on 1 April 2020 and ending on 31 December 2020 is nil.

20 (4) Subsection (3) and this subsection are repealed at the end of
21 31 December 2020.

22 **3 At the end of section 220**

23 Add:

24 *Coronavirus economic response*

25 (3) However, the amount of the standard tourist program charge that is
26 payable under subsection (1) for a tour on a day in the period
27 beginning on 1 April 2020 and ending on 31 December 2020 is nil.

28 (4) Subsection (3) and this subsection are repealed at the end of
29 31 December 2020.

1 **4 At the end of section 223**

2 Add:

3 *Coronavirus economic response*

4 (5) However, the amount of a charge that is payable under this section
5 for any of the following quarters is nil:

- 6 (a) the quarter beginning on 1 April 2020;
7 (b) the quarter beginning on 1 July 2020;
8 (c) the quarter beginning on 1 October 2020.

9 (6) Subsection (5) and this subsection are repealed at the end of
10 31 December 2020.

11 **5 At the end of section 224**

12 Add:

13 *Coronavirus economic response*

14 (5) However, the amount of a charge that is payable under this section
15 in respect of an activity that is undertaken in any of the following
16 quarters is nil:

- 17 (a) the quarter beginning on 1 April 2020;
18 (b) the quarter beginning on 1 July 2020;
19 (c) the quarter beginning on 1 October 2020.

20 (6) Subsection (5) and this subsection are repealed at the end of
21 31 December 2020.

1 **Schedule 7—Assistance for apprentices and**
2 **trainees and the aviation sector**

3 **Part 1—Education, Skills and Employment programs**

4 ***Financial Framework (Supplementary Powers)***
5 ***Regulations 1997***

6 **1 In the appropriate position in Part 4 of Schedule 1AB (table)**

7 Insert:

8

408	Coronavirus Economic Response—Assistance for Apprentices and Trainees	<p>To provide payments to eligible employers of apprentices and trainees, Australian Apprenticeship Support Network providers and Group Training Organisations to:</p> <p>(a) encourage and support apprenticeships and traineeships; and</p> <p>(b) assist businesses, apprentices and trainees who may suffer adverse economic effects of the Coronavirus known as COVID-19.</p> <p>This objective also has the effect it would have if it were limited to measures:</p> <p>(a) to give effect to Australia’s obligations under one or more of the following:</p> <p>(i) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 6;</p> <p>(ii) the International Labour Organization’s Convention concerning Employment Policy, particularly Articles 1 and 2;</p> <p>(iii) the International Labour Organization’s Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources, particularly Articles 1, 2, 3 and 4; or</p>
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Schedule 7 Assistance for apprentices and trainees and the aviation sector
Part 1 Education, Skills and Employment programs

(b) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation.

1

1 **Part 2—Infrastructure, Transport, Regional**
2 **Development and Communications**
3 **programs**

4 ***Financial Framework (Supplementary Powers)***
5 ***Regulations 1997***

6 **2 In the appropriate position in Part 4 of Schedule 1AB (table)**

7 Insert:

8

409	Coronavirus Economic Response—Aviation Support Program	To provide financial assistance to participants in the Australian aviation sector to assist with the impact on the sector of the Coronavirus known as COVID-19. This objective also has the effect it would have if it were limited to measures: (a) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or (b) relating to trade and commerce with other countries, or among the States and Territories; or (c) for the purposes of the defence of the Commonwealth and of the States; or (d) to give effect to Australia’s obligations under Annex 17 to the Convention on International Civil Aviation, particularly Chapter 4 of that Annex; or (e) in, or in relation to, a Territory.
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Schedule 8—Providing flexibility in the Corporations Act

Corporations Act 2001

1 After Part 9.10

Insert:

Part 9.11—Coronavirus known as COVID-19

1362A Coronavirus known as COVID-19

(1) If subsection (2) applies, the Minister may, by legislative instrument:

- (a) exempt classes of persons from the operation of specified provisions of this Act or the regulations; or
- (b) modify the operation of specified provisions of this Act or the regulations in relation to classes of persons.

Note: The Minister may only make instruments during the 6 months beginning on the day this section commences (see subsection (5)). An instrument may be in force for a maximum of 6 months (see paragraph (4)(a)).

(2) This subsection applies if the Minister is satisfied that:

- (a) it would not be reasonable to expect the persons in the class to comply with the provisions because of the impact of the coronavirus known as COVID-19; or
- (b) the exemption or modification is otherwise necessary or appropriate in order to:
 - (i) facilitate continuation of business in circumstances relating to the coronavirus known as COVID-19; or
 - (ii) mitigate the economic impact of the coronavirus known as COVID-19.

(3) A legislative instrument made under subsection (1) may exempt or modify generally or subject to specified conditions. A person to whom a condition applies must comply with the condition. The

- 1 Court may, on application by ASIC, order the person to comply
2 with the condition.
- 3 (4) A legislative instrument made under subsection (1) ceases to be in
4 force:
- 5 (a) at the end of the period of 6 months beginning on the day
6 after the instrument is made; or
- 7 (b) if the instrument specifies an earlier time—at the specified
8 earlier time.
- 9 (5) A legislative instrument must not be made under subsection (1)
10 after the end of the period of 6 months beginning on the day this
11 section commences. However, this does not prevent the Minister
12 amending an instrument at any time before the instrument ceases to
13 be in force in accordance with subsection (4).

1
2

Schedule 9—Child care

3

A New Tax System (Family Assistance) Act 1999

4

1 Subsection 10(2) (heading)

5

Repeal the heading, substitute:

6

Allowable absences

7

2 Paragraph 10(2)(c)

8

Repeal the paragraph, substitute:

9

(c) either:

10

(i) there have been no more than 41 days in the financial year on which an approved child care service is taken to have provided a session of care to the child under this subsection as a result of this subparagraph; or

11

12

13

14

15

16

(ii) if the Minister's rules prescribe a particular event or circumstance—the conditions referred to in subsection (2AA) are met.

17

3 After subsection 10(2)

18

Insert:

19

(2AA) For the purposes of subparagraph (2)(c)(ii), the conditions are that:

20

(a) any conditions prescribed by the Minister's rules for the prescribed event or circumstance are met; and

21

22

23

24

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29

(b) if the Minister's rules prescribe a number of days for the event or circumstance for all or part of the financial year—there have been no more than that number of days, in the financial year or the part of the financial year, on which an approved child care service is taken to have provided a session of care to the child under subsection (2) as a result of subparagraph (2)(c)(ii) in relation to that event or circumstance.

30

4 Subsection 10(3) (heading)

31

Repeal the heading, substitute:

1 *More than the number of allowable absences*

2 **5 Paragraph 10(3)(a)**

3 Repeal the paragraph, substitute:

- 4 (a) the service is not taken to have provided the session of care
5 to the child on the day under subsection (2); and

6 **6 Subsection 10(3A)**

7 After “or (iii)”, insert “or paragraph (3)(e)”.

8 **7 Application**

9 The amendments of the *A New Tax System (Family Assistance) Act*
10 *1999* made by this Schedule apply in relation to the 2019-2020 financial
11 year and later financial years.

12 ***A New Tax System (Family Assistance) (Administration) Act***
13 ***1999***

14 **8 After subsection 201B(1)**

15 Insert:

16 *Exception because of prescribed event or circumstance*

17 (1A) The provider is not required to take reasonable steps in relation to a
18 session of care provided by the service to the child if:

- 19 (a) the Minister’s rules prescribe a particular event or
20 circumstance; and
21 (b) the session of care is provided during the period prescribed
22 by the Minister’s rules for that event or circumstance; and
23 (c) any other conditions prescribed by the Minister’s rules for
24 that event or circumstance are met.

25 Note: A defendant bears an evidential burden in relation to the matters
26 mentioned in this subsection: see subsection 13.3(3) of the *Criminal*
27 *Code* and section 96 of the Regulatory Powers Act.

28 **9 Subsections 201C(1) and (1A)**

29 Repeal the subsections, substitute:

Duty to charge no more than usual hourly session fee

- 1
- 2 (1) The approved provider of a child care service must not charge an
3 individual who is eligible for ACCS for a session of care provided
4 by the service an hourly session fee that exceeds the hourly session
5 fee that:
- 6 (a) the provider would ordinarily charge an individual who is
7 eligible for CCS for the session of care; or
- 8 (b) if the provider is not taking reasonable steps in relation to the
9 session of care because of subsection 201B(1A)—the
10 provider charged immediately before the beginning of the
11 period prescribed for the purposes of paragraph 201B(1A)(b).
- 12 (1A) The approved provider of a child care service must not charge an
13 individual who benefits from a payment prescribed by the
14 Minister’s rules for the purposes of paragraph 2(2A)(c) of
15 Schedule 2 to the Family Assistance Act (a ***prescribed payment***) in
16 respect of a session of care provided by the service an hourly
17 session fee that exceeds the hourly session fee that:
- 18 (a) the provider would ordinarily charge an individual who does
19 not receive a prescribed payment; or
- 20 (b) if the provider is not taking reasonable steps in relation to the
21 session of care because of subsection 201B(1A)—the
22 provider charged immediately before the beginning of the
23 period prescribed for the purposes of paragraph 201B(1A)(b).
- 24 (1B) If the approved provider of a child care service is not taking
25 reasonable steps in relation to a session of care provided by the
26 service to a child because of subsection 201B(1A), the provider
27 must not charge an individual who is eligible for CCS for the
28 session of care an hourly session fee that exceeds the hourly
29 session fee that the provider charged immediately before the
30 beginning of the period prescribed for the purposes of
31 paragraph 201B(1A)(b).

32 **10 Subsections 201C(2) and (3)**

33 Omit “or (1A)”, substitute “, (1A) or (1B)”.

Schedule 10—Superannuation drawdowns

Retirement Savings Accounts Regulations 1997

1 Clause 3A of Schedule 1

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

2 Clause 3A of Schedule 1A

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

3 Clause 10 of Schedule 4

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

4 Clause 3A of Schedule 5

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

Superannuation Industry (Supervision) Regulations 1994

5 Clause 3A of Schedule 1A

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

6 Clause 3A of Schedule 1AAB

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

7 Clause 10 of Schedule 6

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

8 Clause 4A of Schedule 7

Omit “and 1 July 2010,”, substitute “, 1 July 2010, 1 July 2019 and 1 July 2020,”.

1 **Schedule 11—Additional support for income**
2 **support recipients**

3 **Part 1—Main amendments**

4 *Farm Household Support Act 2014*

5 **1 Subsection 42(1)**

6 Omit “subsection (2)”, substitute “subsections (2) and (3)”.

7 **2 At the end of section 42**

8 Add:

9 (3) Subsection (1) does not apply to a person during the period
10 covered by subsection 646(2) of the Social Security Act.

11 **3 At the end of section 48**

12 Add:

13 (5) Subsection (2) does not apply to a person during the period
14 covered by subsection 646(2) of the Social Security Act.

15 **4 Paragraph 94(b)**

16 After “allowance)”, insert “, except section 557”.

17 **5 Paragraph 94(d)**

18 After “payment)”, insert “, except section 646”.

19 *Social Security Act 1991*

20 **6 Subsection 7(7)**

21 Omit “paragraph 540(d), subparagraphs 593(1)(g)(ii) and
22 593(1D)(b)(ii)”, substitute “subparagraphs 540(d)(ii), 540BA(1)(d)(ii)
23 and 593(1)(g)(ii), (1D)(b)(ii) and (5)(b)(ii)”.

24 **7 At the end of section 500Q**

25 Add:

1 (6) This section does not apply to a person during the period covered
2 by subsection 504(2).

3 **8 Subsection 500WA(1)**

4 Omit “subsection (2)”, substitute “subsections (2) and (4)”.

5 **9 At the end of section 500WA**

6 Add:

7 (4) Subsection (1) does not apply to a person during the period
8 covered by subsection 504(2).

9 **10 At the end of section 500X**

10 Add:

11 (6) Subsection (1) does not apply to a person during the period
12 covered by subsection 504(2).

13 **11 At the end of section 500Z**

14 Add:

15 (4) Subsection (2) does not apply to a person during the period
16 covered by subsection 504(2).

17 **12 At the end of Subdivision A of Division 4 of Part 2.10**

18 Add:

19 **504 COVID-19 supplement**

20 (1) If a person is receiving a parenting payment, the rate of the
21 person’s parenting payment is increased by the amount of the
22 COVID-19 supplement. The increase begins on 27 April 2020.

23 *Cessation of supplement*

24 (2) This section ceases to apply at the end of:

- 25 (a) the period (the *initial period*) of 6 months beginning on the
26 day on which this section commences, unless paragraph (b)
27 applies; or
28 (b) if a period is extended under subsection (3)—the extended
29 period.

- 1 (3) The Minister may, by legislative instrument, extend the initial
2 period (or that period as extended one or more times under this
3 subsection) by a period not exceeding 3 months. The Minister must
4 be satisfied that the extension is in response to circumstances
5 relating to the coronavirus known as COVID-19.

6 *Amount of supplement*

- 7 (4) For the period beginning on 27 April 2020 and ending at the end of
8 the initial period, the amount of the COVID-19 supplement per
9 fortnight is:
10 (a) \$550, unless paragraph (b) applies; or
11 (b) if an amount is determined under subsection (5)—that
12 amount.
- 13 (5) The Minister may, by legislative instrument, determine an amount
14 for the purposes of paragraph (4)(b).
- 15 (6) For any extension period, the amount of the COVID-19
16 supplement is to be worked out in accordance with a determination
17 under subsection (7).
- 18 (7) The Minister may, by legislative instrument, make a determination
19 for the purposes of subsection (6).
- 20 (8) Without limiting subsection (7), the determination may provide
21 that the amount of COVID-19 supplement per fortnight is nil for
22 specified persons.

23 **13 After section 540B**

24 Insert:

25 **540BA Qualification for youth allowance—coronavirus**

- 26 (1) A person is qualified for a youth allowance in respect of a period
27 if:
28 (a) the person satisfies the requirements determined in an
29 instrument under subsection (2); and
30 (b) the person is not undertaking full-time study and is not a new
31 apprentice; and
32 (c) throughout the period the person is of youth allowance age
33 (see Subdivision D); and
-

- 1 (d) throughout the period the person:
2 (i) is an Australian resident; or
3 (ii) is exempt from the residence requirement within the
4 meaning of subsection 7(7).
- 5 (2) The Minister may, by legislative instrument, determine
6 requirements for the purposes of paragraph (1)(a). The Minister
7 must be satisfied that the requirements are determined in response
8 to circumstances relating to the coronavirus known as COVID-19.
- 9 (3) Without limiting subsection (2), the requirements may depend on
10 the Secretary being satisfied of one or more specified matters.
- 11 (4) A person is not qualified for a youth allowance under
12 subsection (1) after the end of the period covered by
13 subsection 557(2).

14 **14 Section 547B**

15 Before “A”, insert “(1)”.

16 **15 At the end of section 547B**

17 Add:

- 18 (2) A person who is not undertaking full-time study and is not a new
19 apprentice is excluded from the application of the youth allowance
20 assets test during the period covered by subsection 557(2).

21 **16 At the end of section 549A**

22 Add:

23 *Exception—coronavirus*

- 24 (8) If a person is not undertaking full-time study and is not a new
25 apprentice, subsection (1) does not apply to the person during the
26 period covered by subsection 557(2).

27 **17 Subsection 549CA(2)**

28 Omit “and (5)”, substitute “, (5) and (6)”.

29 **18 At the end of section 549CA**

30 Add:

1 (6) Subsection (2) does not apply to a person during the period
2 covered by subsection 557(2).

3 **19 After subsection 549D(6)**

4 Insert:

5 *Exception—coronavirus*

6 (6A) If a person is not undertaking full-time study and is not a new
7 apprentice, subsection (1) does not apply to the person during the
8 period covered by subsection 557(2).

9 **20 At the end of section 553C**

10 Add:

11 *Exemption for coronavirus*

12 (7) If a person is not undertaking full-time study and is not a new
13 apprentice, subsection (2) does not apply to the person during the
14 period covered by subsection 557(2).

15 **21 After section 556B**

16 Insert:

17 **557 COVID-19 supplement**

18 (1) If a person is receiving youth allowance and the person is not
19 undertaking full-time study and is not a new apprentice, the rate of
20 the person's youth allowance is increased by the amount of the
21 COVID-19 supplement. The increase begins on 27 April 2020.

22 *Cessation of supplement*

23 (2) This section ceases to apply at the end of:
24 (a) the period (the *initial period*) of 6 months beginning on the
25 day on which this section commences, unless paragraph (b)
26 applies; or
27 (b) if a period is extended under subsection (3)—the extended
28 period.
29 (3) The Minister may, by legislative instrument, extend the initial
30 period (or that period as extended one or more times under this

1 subsection) by a period not exceeding 3 months. The Minister must
2 be satisfied that the extension is in response to circumstances
3 relating to the coronavirus known as COVID-19.

4 *Amount of supplement*

- 5 (4) For the period beginning on 27 April 2020 and ending at the end of
6 the initial period, the amount of the COVID-19 supplement per
7 fortnight is:
8 (a) \$550, unless paragraph (b) applies; or
9 (b) if an amount is determined under subsection (5)—that
10 amount.
- 11 (5) The Minister may, by legislative instrument, determine an amount
12 for the purposes of paragraph (4)(b).
- 13 (6) For any extension period, the amount of the COVID-19
14 supplement is to be worked out in accordance with a determination
15 under subsection (7).
- 16 (7) The Minister may, by legislative instrument, make a determination
17 for the purposes of subsection (6).
- 18 (8) Without limiting subsection (7), the determination may provide
19 that the amount of COVID-19 supplement per fortnight is nil for
20 specified persons.

21 **22 At the end of section 593 (after the note)**

22 Add:

23 *Coronavirus*

- 24 (5) A person is qualified for a jobseeker payment in respect of a period
25 if:
26 (a) the person satisfies the requirements determined in an
27 instrument under subsection (6); and
28 (b) throughout the period the person:
29 (i) is at least 22 years of age and has not reached the
30 pension age; and
31 (ii) is an Australian resident or is exempt from the residence
32 requirement within the meaning of subsection 7(7); and

Schedule 11 Additional support for income support recipients

Part 1 Main amendments

1 (c) the person was not in receipt of a youth allowance during the
2 period.

3 (6) The Minister may, by legislative instrument, determine
4 requirements for the purposes of paragraph (5)(a). The Minister
5 must be satisfied that the requirements are determined in response
6 to circumstances relating to the coronavirus known as COVID-19.

7 (7) Without limiting subsection (6), the requirements may depend on
8 the Secretary being satisfied of one or more specified matters.

9 (8) A person is not qualified for a jobseeker payment under
10 subsection (5) after the end of the period covered by
11 subsection 646(2).

12 **23 Subsection 598(1)**

13 Omit “and (8B)”, substitute “, (8B) and (8C)”.

14 **24 After subsection 598(8B)**

15 Insert:

16 (8C) Subsection (1) does not apply to a person during the period
17 covered by subsection 646(2).

18 **25 At the end of section 611 (after the notes)**

19 Add:

20 (3) Subsection (1) does not apply to a person during the period
21 covered by subsection 646(2).

22 **26 Subsection 620(1)**

23 Omit “and (4)”, substitute “, (4) and (5)”.

24 **27 At the end of section 620**

25 Add:

26 (5) Subsection (1) does not apply to a person during the period
27 covered by subsection 646(2).

28 **28 At the end of section 623A**

29 Add:

- 1 (10) Subsection (1) does not apply to a person during the period
2 covered by subsection 646(2).

3 **29 At the end of section 633**

4 Add:

- 5 (7) Subsection (2) does not apply to a person during the period
6 covered by subsection 646(2).

7 **30 After section 645**

8 Insert:

9 **646 COVID-19 supplement**

- 10 (1) If a person is receiving jobseeker payment, the rate of the person's
11 jobseeker payment is increased by the amount of the COVID-19
12 supplement. The increase begins on 27 April 2020.

13 *Cessation of supplement*

- 14 (2) This section ceases to apply at the end of:
15 (a) the period (the *initial period*) of 6 months beginning on the
16 day on which this section commences, unless paragraph (b)
17 applies; or
18 (b) if a period is extended under subsection (3)—the extended
19 period.
- 20 (3) The Minister may, by legislative instrument, extend the initial
21 period (or that period as extended one or more times under this
22 subsection) by a period not exceeding 3 months. The Minister must
23 be satisfied that the extension is in response to circumstances
24 relating to the coronavirus known as COVID-19.

25 *Amount of supplement*

- 26 (4) For the period beginning on 27 April 2020 and ending at the end of
27 the initial period, the amount of the COVID-19 supplement per
28 fortnight is:
29 (a) \$550, unless paragraph (b) applies; or
30 (b) if an amount is determined under subsection (5)—that
31 amount.

- 1 (5) The Minister may, by legislative instrument, determine an amount
2 for the purposes of paragraph (4)(b).
- 3 (6) For any extension period, the amount of the COVID-19
4 supplement is to be worked out in accordance with a determination
5 under subsection (7).
- 6 (7) The Minister may, by legislative instrument, make a determination
7 for the purposes of subsection (6).
- 8 (8) Without limiting subsection (7), the determination may provide
9 that the amount of COVID-19 supplement per fortnight is nil for
10 specified persons.

11 **31 Subsection 654(3) (method statement, step 1)**

12 Omit “and 644AAA”, substitute “, 644AAA and 646”.

13 **32 Paragraphs 654(5)(d) and (6)(b)**

14 Omit “and 644AAA”, substitute “, 644AAA and 646”.

15 **33 At the end of section 680 (after the notes)**

16 Add:

- 17 (4) This section does not apply to a person during the period covered
18 by subsection 646(2).

19 **34 At the end of Division 4 of Part 2.14**

20 Add:

21 **710 COVID-19 supplement**

- 22 (1) If a person is receiving sickness allowance, the rate of the person’s
23 sickness allowance is increased by the amount of the COVID-19
24 supplement. The increase begins on 27 April 2020.
- 25 (2) The amount of the COVID-19 supplement per fortnight is:
26 (a) \$550, unless paragraph (b) applies; or
27 (b) if an amount is determined under subsection (3)—that
28 amount.
- 29 (3) The Minister may, by legislative instrument, determine an amount
30 for the purposes of paragraph (2)(b).

1 **35 At the end of section 739A**

2 Add:

- 3 (10) Neither subsection (1) nor (2) applies to a person during the period
4 covered by subsection 646(2).

5 **36 At the end of section 745M**

6 Add:

- 7 (4) Subsection (2) does not apply to a person during the period
8 covered by subsection 646(2).

9 **37 After section 1061JI**

10 Insert:

11 **1061JIA Qualification—national health emergency**

- 12 (1) A person is qualified for a crisis payment if:
13 (a) on the day on which the claim for the crisis payment is made:
14 (i) the person has made a claim (whether on the same day
15 or on an earlier day) for a social security pension or
16 benefit; and
17 (ii) the person is qualified for the pension or benefit; and
18 (b) the person satisfies the requirements determined in an
19 instrument under subsection (2).
- 20 (2) The Minister may, by legislative instrument, determine
21 requirements for the purposes of paragraph (1)(b). The Minister
22 must be satisfied that the requirements relate to a national health
23 emergency.
- 24 (3) Without limiting subsection (2), the requirements may depend on
25 the Secretary being satisfied of one or more specified matters.

26 **38 Section 1061JL**

27 Omit “or 1061JJ”, substitute “, 1061JI or 1061JIA”.

28 **39 At the end of Part 3.19**

29 Add:

1 **1210B COVID-19 supplement**

2 (1) If:

- 3 (a) a person is receiving a social security payment (other than
4 parenting payment, youth allowance, jobseeker payment or
5 sickness allowance); and
6 (b) the social security payment is determined in an instrument
7 under subsection (2);

8 then:

- 9 (c) the rate of the person's social security payment is increased
10 by the amount of the COVID-19 supplement for the period
11 determined in that instrument in relation to that payment; and
12 (d) the amount of the COVID-19 supplement is the fortnightly
13 amount determined in that instrument in relation to that
14 payment.

15 (2) The Minister may, by legislative instrument, make a determination
16 for the purposes of paragraphs (1)(b), (c) and (d). The Minister
17 must be satisfied that the determination is in response to
18 circumstances relating to the coronavirus known as COVID-19.

19 (3) This section ceases to apply at the end of the period covered by
20 subsection 646(2).

21 **40 Application provisions**

22 (2) Subsection 540BA(1) of the *Social Security Act 1991*, as inserted by
23 this Part, applies in relation to working out qualification for a youth
24 allowance in respect of a period beginning on or after the
25 commencement of this item.

26 (4) Subsection 593(5) of the *Social Security Act 1991*, as added by this Part,
27 applies in relation to working out qualification for a jobseeker payment
28 in respect of a period beginning on or after the commencement of this
29 item.

30 **40A Modifications of qualifications and payments under the**
31 **social security law**

32 (1) For any provision of the social security law relating to the qualification
33 of persons for a social security payment, or to the rate of a social

- 1 security payment, the Minister may, by legislative instrument,
2 determine:
- 3 (a) for a provision that relates to the qualification of persons for
4 a social security payment:
- 5 (i) that the provision is varied as specified in the
6 determination; or
7 (ii) that the provision does not apply; or
8 (iii) that the provision does not apply and that another
9 provision specified in the determination applies instead;
10 or
- 11 (b) for a provision that relates to the rate of a social security
12 payment:
- 13 (i) that the provision is varied as specified in the
14 determination; or
15 (ii) that the provision does not apply and that a rate of
16 payment specified in the determination applies instead.
- 17 (2) The Minister must be satisfied that the determination is in response to
18 circumstances relating to the coronavirus known as COVID-19.
- 19 (3) A determination under this item has effect accordingly.
- 20 (4) In this item:
- 21 *social security law* has the same meaning as in the *Social Security Act*
22 *1991*.
- 23 *social security payment* has the same meaning as in the *Social Security*
24 *Act 1991*.
- 25 (5) An instrument made under this item has no operation after 31 December
26 2020.
- 27 (6) This item is repealed on 31 December 2020.

1 **Part 2—Other amendments**

2 ***Social Services and Other Legislation Amendment***
3 ***(Simplifying Income Reporting and Other***
4 ***Measures) Act 2020***

5 **41 Section 2**

6 Repeal the section, substitute:

7 **2 Commencement**

- 8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	A single day to be fixed by Proclamation. However, if the provisions do not commence before 1 July 2021, they commence on 1 July 2021.	

13 Note: This table relates only to the provisions of this Act as originally
14 enacted. It will not be amended to deal with any later amendments of
15 this Act.

- 16 (2) Any information in column 3 of the table is not part of this Act.
17 Information may be inserted in this column, or information in it
18 may be edited, in any published version of this Act.

1 **Schedule 12—Temporary relief for financially**
2 **distressed individuals and businesses**

3 **Part 1—Amendments relating to individuals in**
4 **financial distress**

5 ***Bankruptcy Act 1966***

6 **1 Subsection 5(1)**

7 Insert:

8 ***default period*** means:

- 9 (a) if a period longer than 21 days is prescribed—the prescribed
10 period; or
11 (b) otherwise—21 days.

12 ***statutory minimum*** means:

- 13 (a) if an amount greater than \$5,000 is prescribed—the
14 prescribed amount; or
15 (b) otherwise—\$5,000.

16 ***statutory period*** means:

- 17 (a) if a period longer than 21 days is prescribed—the prescribed
18 period; or
19 (b) otherwise—21 days.

20 **2 Subsection 5(1) (paragraph (a) of the definition of *stay***
21 ***period*)**

22 Repeal the paragraph, substitute:

- 23 (a) the default period, beginning on that day, ends; or

24 **3 Subsection 5(1) (at the end of paragraph (b) of the**
25 **definition of *stay period*)**

26 Add “or”.

27 **4 Subsection 5(1)**

28 Insert:

1 *time fixed*, for compliance with a bankruptcy notice, means the
2 period specified in the notice (as required by subsection 41(2A)).

3 **5 Subsection 33(1)**

4 Omit “the requirements of”.

5 **6 Subparagraph 40(1)(g)(i)**

6 Omit “the time specified in the notice”, substitute “the time fixed for
7 compliance with the notice”.

8 **7 Subparagraph 40(1)(g)(ii)**

9 Omit “fixed for the purpose”, substitute “specified”.

10 **8 Subparagraphs 41(1)(a)(ii) and (b)(ii)**

11 Omit “\$5,000”, substitute “the statutory minimum”.

12 **9 After subsection 41(2)**

13 Insert:

14 (2A) The notice must specify a period for compliance with the notice.
15 That period must be:

16 (a) if the notice is to be served in Australia—the statutory period
17 after the debtor is served with the notice; or

18 (b) if the notice is to be served elsewhere—the period specified
19 by the order of the Court giving leave to effect the service.

20 **10 Subsections 41(5) and (6)**

21 Omit “the time allowed for payment”, substitute “the time fixed for
22 compliance with the notice”.

23 **11 Subsections 41(6A) and (7)**

24 Omit “the requirements of”.

25 **12 Subsection 42(1)**

26 Omit “the time allowed by the notice”, substitute “the time fixed for
27 compliance with the notice”.

1 **13 Paragraph 44(1)(a)**

2 Omit “\$5,000” (wherever occurring), substitute “the statutory
3 minimum”.

4 **14 Paragraphs 244(1)(a), (b) and (c)**

5 Omit “\$5,000”, substitute “the statutory minimum”.

6 **15 Application of amendments**

7 The amendments made by items 1 to 14 of this Schedule apply to the
8 following:

- 9 (a) bankruptcy notices issued on or after the commencement of
10 this Schedule;
11 (b) petitions and declarations presented on or after the
12 commencement of this Schedule.

13 ***Bankruptcy Regulations 1996***

14 **16 After regulation 4.02**

15 Insert:

16 **4.02AA Temporary increase to the statutory minimum and
17 statutory period**

- 18 (1) For the purposes of paragraph (a) of the definition of *statutory*
19 *minimum* in subsection 5(1) of the Act, the amount prescribed is
20 \$20,000.
21 (2) For the purposes of paragraph (a) of the definition of *statutory*
22 *period* in subsection 5(1) of the Act, the period prescribed is 6
23 months.
24 (3) This regulation is repealed at the end of the period of 6 months
25 starting on the day this regulation commences.

26 **17 After regulation 4.10**

27 Insert:

1 **4.10A Temporary increase to the default period**

2 (1) For the purposes of paragraph (a) of the definition of *default*
3 *period* in subsection 5(1) of the Act, the period prescribed is 6
4 months.

5 (2) This regulation is repealed at the end of the period of 6 months
6 starting on the day this regulation commences.

7 **18 Schedule 1**

8 After “(regulation 4.02)”, insert:

9 **Form 1—Bankruptcy notice**

10 **19 Paragraph 1 of Bankruptcy Notice in Schedule 1**

11 Omit “* days”.

12 **20 Paragraph 1 (note) of Bankruptcy Notice in Schedule 1**

13 Repeal the note.

1 **Part 2—Amendments relating to businesses in**
2 **financial distress**

3 ***Corporations Act 2001***

4 **21 Section 9**

5 Insert:

6 *statutory period* means:

- 7 (a) if a period longer than 21 days is prescribed—the prescribed
8 period; or
9 (b) otherwise—21 days.

10 **22 Paragraphs 459E(2)(c) and 459F(2)(b)**

11 Omit “21 days”, substitute “the statutory period”.

12 **23 Subsection 459G(2)**

13 Omit “21 days”, substitute “the statutory period”.

14 **24 Subsection 459G(3)**

15 Omit “those 21 days”, substitute “that period”.

16 **25 In the appropriate position in Chapter 10**

17 Insert:

18 **Part 10.42—Transitional provisions relating to the**
19 **Coronavirus Economic Response Package**
20 **Omnibus Act 2020**
21

22 **1669 Application of amendments made by Schedule 12 to the**
23 ***Coronavirus Economic Response Package Omnibus Act***
24 **2020**

25 The amendments made by Part 2 of Schedule 12 to the
26 *Coronavirus Economic Response Package Omnibus Act 2020*

1 apply to statutory demands that are served on or after the
2 commencement of that Schedule.

3 ***Corporations Regulations 2001***

4 **26 Before regulation 5.4.01**

5 Insert:

6 **5.4.01AA Temporary increase to the statutory minimum and**
7 **statutory period**

- 8 (1) For the purposes of paragraph (a) of the definition of *statutory*
9 *minimum* in section 9 of the Act, the amount prescribed is
10 \$20,000.
- 11 (2) For the purposes of paragraph (a) of the definition of *statutory*
12 *period* in section 9 of the Act, the period prescribed is 6 months.
- 13 (3) This regulation is repealed at the end of the period of 6 months
14 starting on the day this regulation commences.

15 **27 Paragraphs 3 and 5 of Form 509H of Schedule 2**

16 Omit “21 days”, substitute “the statutory period”.

17 **28 Form 509H (note 2) of Schedule 2**

18 Omit “minimum of \$2,000.”, substitute “minimum. The statutory
19 minimum is \$2,000 or a greater amount prescribed by the regulations.
20 For a 6-month period in 2020, a greater amount of \$20,000 is prescribed
21 (see the *Coronavirus Economic Response Package Omnibus Act*
22 *2020*).”.

23 **29 Form 509H (note 5) of Schedule 2**

24 Repeal the note, substitute:

- 25 5. The statutory period is 21 days or a longer period prescribed by the
26 regulations. For a 6-month period in 2020, a longer period of 6 months
27 is prescribed (see the *Coronavirus Economic Response Package*
28 *Omnibus Act 2020*).

1 **Part 3—Temporary relief for directors from duty to**
2 **prevent insolvent trading**

3 *Corporations Act 2001*

4 **30 Paragraph 588E(8A)(a)**

5 After “subsection 588GA(1)”, insert “or 588GAAA(1)”.

6 **31 After section 588GA**

7 Insert:

8 **588GAAA Safe harbour—temporary relief in response to the**
9 **coronavirus**

10 *Safe harbour*

- 11 (1) Subsection 588G(2) does not apply in relation to a person and a
12 debt incurred by a company if the debt is incurred:
13 (a) in the ordinary course of the company’s business; and
14 (b) during:
15 (i) the 6-month period starting on the day this section
16 commences; or
17 (ii) any longer period that starts on the day this section
18 commences and that is prescribed by the regulations for
19 the purposes of this subparagraph; and
20 (c) before any appointment during that period of an
21 administrator, or liquidator, of the company.
- 22 (2) A person who wishes to rely on subsection (1) in a proceeding for,
23 or relating to, a contravention of subsection 588G(2) bears an
24 evidential burden in relation to that matter.

25 *When the safe harbour does not apply*

- 26 (3) Subsection (1) is taken never to have applied in relation to a person
27 and a debt in the circumstances prescribed by the regulations for
28 the purposes of this subsection.

1 **Schedule 13—Early release of superannuation**
2

3 ***Income Tax (Transitional Provisions) Act 1997***

4 **1 At the end of Division 303**

5 Add:

6 **303-15 Superannuation lump sum member benefit paid to member**
7 **on compassionate ground relating to the coronavirus**

8 A superannuation member benefit that is a superannuation lump
9 sum is not assessable income and is not exempt income if:

- 10 (a) it is paid from a complying superannuation plan; and
11 (b) it is paid because you satisfy:
12 (i) a condition of release specified in item 107A or 207AA
13 of the table in Schedule 1 to the *Superannuation*
14 *Industry (Supervision) Regulations 1994*; or
15 (ii) a condition of release specified in item 109AA of the
16 table in Schedule 2 to the *Retirement Savings Accounts*
17 *Regulations 1997*.

18 ***Retirement Savings Accounts Regulations 1997***

19 **2 Subregulation 4.01(2) (definition of *compassionate ground*)**

20 Repeal the definition, substitute:

21 ***compassionate ground***, in relation to the release of an RSA
22 holder’s preserved benefits or restricted non-preserved benefits in
23 an RSA, means:

- 24 (a) a ground listed in subregulation 4.22A(1); or
25 (b) the ground referred to in subregulation 4.22B(1).

26 **3 Regulation 4.19**

27 Omit “standard set out in regulation 4.20 is”, substitute “standards set
28 out regulations 4.20 and 4.20B are”.

29 **4 At the end of Division 4.2 of Part 4**

30 Add:

1 **4.20B Benefits to be paid as soon as practicable where member**
2 **satisfies compassionate ground relating to coronavirus**

- 3 (1) This regulation applies if:
4 (a) the Regulator has determined under subregulation 4.22B(3)
5 (about coronavirus) that a specified amount of benefits in an
6 RSA may be released on a compassionate ground; and
7 (b) the RSA provider receives from the Regulator a copy of the
8 determination as referred to in subregulation 4.22B(6).

9 Note: See item 109AA of Schedule 2.

- 10 (2) The RSA provider must pay the benefits to the RSA holder as soon
11 as practicable after the RSA provider receives the copy of the
12 determination, without requiring any additional application from
13 the RSA holder.

14 **5 Subregulation 4.22A(2)**

15 Omit “4.22(2)”, substitute “4.22(1)”.

16 **6 After regulation 4.22A**

17 Insert:

18 **4.22B Release of benefits on compassionate ground—coronavirus**

- 19 (1) A person may apply to the Regulator for a determination that an
20 amount of the person’s preserved benefits, or restricted
21 non-preserved benefits, in a specified RSA or RSAs may be
22 released on the ground that it is required to assist the person to deal
23 with the adverse economic effects of the coronavirus known as
24 COVID-19 if:
25 (a) the person is unemployed; or
26 (b) the person is eligible to receive any of the following under
27 the *Social Security Act 1991*:
28 (i) jobseeker payment;
29 (ii) parenting payment;
30 (iii) special benefit; or
31 (c) the person is eligible to receive youth allowance under the
32 *Social Security Act 1991* (other than on the basis that the
33 person is undertaking full-time study or is a new apprentice);
34 or
-

- 1 (d) the person is eligible to receive farm household allowance
 2 under the *Farm Household Support Act 2014*; or
 3 (e) on or after 1 January 2020 the person was made redundant, or
 4 their working hours were reduced by 20% or more (including
 5 to zero); or
 6 (f) for a person who is a sole trader—on or after 1 January 2020
 7 the person’s business was suspended or suffered a reduction
 8 in turnover of 20% or more.

9 (2) A person may make 2 applications under subregulation (1) as
 10 follows:

- 11 (a) one in the financial year ending 30 June 2020; and
 12 (b) one in the financial year ending 30 June 2021.

13 However, no application may be made after the end of the period
 14 of 6 months starting on the day this regulation commences.

15 Note: This regulation was inserted by the *Coronavirus Economic Response*
 16 *Package Omnibus Act 2020*.

17 (3) The Regulator must determine, in writing, that the person has
 18 satisfied, for the purposes of subregulation 4.21(1) or 4.22(1), the
 19 condition of release on a compassionate ground if the Regulator
 20 has not already made a determination under this regulation or
 21 regulation 6.19B of the *Superannuation Industry (Supervision)*
 22 *Regulations 1994* in relation to the person in respect of an
 23 application made by the person in the financial year.

24 (4) For the purposes of subregulation (3), treat a revoked
 25 determination as not having been made.

26 (5) A determination under this regulation must specify the RSA or
 27 RSAs and the amount of the preserved benefits, or restricted
 28 non-preserved benefits, that may be released from each specified
 29 RSA. The sum of the amounts specified in a determination must
 30 not exceed \$10,000.

31 (6) If the Regulator makes a determination under this regulation, the
 32 Regulator must give a copy of the determination to the person and
 33 the RSA provider of each specified RSA.

34 **7 After item 109 in Schedule 2 (table)**

35 Insert:

109AA The Regulator has determined under A single lump sum, not exceeding

subregulation 4.22B(3) (about coronavirus) that a specified amount of benefits in the RSA may be released on a compassionate ground the amount determined, in writing, by the Regulator in relation to the RSA

1 ***Superannuation Industry (Supervision) Regulations 1994***

2 **8 Subregulation 6.01(2) (definition of *compassionate ground*)**

3 Repeal the definition, substitute:

4 ***compassionate ground***, in relation to the release of a member's
5 preserved benefits, or restricted non-preserved benefits, in a
6 superannuation entity, means:

- 7 (a) a ground listed in subregulation 6.19A(1); or
8 (b) the ground referred to in subregulation 6.19B(1).

9 **9 At the end of Division 6.2 of Part 6**

10 Add:

11 **6.17D Benefits to be paid as soon as practicable where member**
12 **satisfies compassionate ground relating to coronavirus**

- 13 (1) For the purposes of subsections 31(1) and 32(1) of the Act, the
14 standard set out in subregulation (3) is applicable to the operation
15 of regulated superannuation funds and approved deposit funds.
- 16 (2) This regulation applies if:
17 (a) the Regulator has determined under subregulation 6.19B(3)
18 (about coronavirus) that a specified amount of benefits in the
19 fund may be released on a compassionate ground; and
20 (b) the trustee of the fund receives from the Regulator a copy of
21 the determination as referred to in subregulation 6.19B(6).
- 22 Note: See items 107A and 207AA of Schedule 1.
- 23 (3) The trustee must pay the benefits to the member as soon as
24 practicable after the trustee receives the copy of the determination,
25 without requiring any additional application from the member.
- 26 (4) However, subregulation (3) does not apply if it would require the
27 trustee to pay benefits from a defined benefit interest.

10 After regulation 6.19A

Insert:

6.19B Release of benefits on compassionate ground—coronavirus

- (1) A person may apply to the Regulator for a determination that an amount of the person's preserved benefits, or restricted non-preserved benefits, in a specified superannuation entity or entities may be released on the ground that it is required to assist the person to deal with the adverse economic effects of the coronavirus known as COVID-19 if:
- (a) the person is unemployed; or
 - (b) the person is eligible to receive any of the following under the *Social Security Act 1991*:
 - (i) jobseeker payment;
 - (ii) parenting payment;
 - (iii) special benefit; or
 - (c) the person is eligible to receive youth allowance under the *Social Security Act 1991* (other than on the basis that the person is undertaking full-time study or is a new apprentice); or
 - (d) the person is eligible to receive farm household allowance under the *Farm Household Support Act 2014*; or
 - (e) on or after 1 January 2020 the person was made redundant, or their working hours were reduced by 20% or more (including to zero); or
 - (f) for a person who is a sole trader—on or after 1 January 2020 the person's business was suspended or suffered a reduction in turnover of 20% or more.
- (2) A person may make 2 applications under subregulation (1) as follows:
- (a) one in the financial year ending 30 June 2020; and
 - (b) one in the financial year ending 30 June 2021.

However, no application may be made after the end of the period of 6 months starting on the day this regulation commences.

Note: This regulation was inserted by the *Coronavirus Economic Response Package Omnibus Act 2020*.

- 1 (3) The Regulator must determine, in writing, that the person has
2 satisfied, for the purposes of subregulation 6.18(1) or 6.19(1), the
3 condition of release on a compassionate ground if the Regulator
4 has not already made a determination under this regulation or
5 regulation 4.22B of the *Retirement Savings Account*
6 *Regulations 1997* in relation to the person in respect of an
7 application made by the person in the financial year.
- 8 (4) For the purposes of subregulation (3), treat a revoked
9 determination as not having been made.
- 10 (5) A determination under this regulation must specify the
11 superannuation entity or entities and the amount of the preserved
12 benefits, or restricted non-preserved benefits, that may be released
13 from each specified entity. The sum of the amounts specified in a
14 determination must not exceed \$10,000.
- 15 (6) If the Regulator makes a determination under this regulation, the
16 Regulator must give a copy of the determination to the person and
17 the trustee of each specified superannuation entity.

18 **11 In the appropriate position in Part 1 of Schedule 1 (table)**

19 Insert:

107A	The Regulator has determined under subregulation 6.19B(3) (about coronavirus) that a specified amount of benefits in the regulated superannuation fund may be released on a compassionate ground	A single lump sum, not exceeding the amount determined, in writing, by the Regulator in relation to the fund
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20 **12 After item 207 in Part 2 of Schedule 1 (table)**

21 Insert:

207AA	The Regulator has determined under subregulation 6.19B(3) (about coronavirus) that a specified amount of benefits in the approved deposit fund may be released on a compassionate ground	A single lump sum, not exceeding the amount determined, in writing, by the Regulator in relation to the fund
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22

1 **Schedule 14—Medicare levy and Medicare**
2 **levy surcharge income thresholds**
3

4 *A New Tax System (Medicare Levy Surcharge—Fringe*
5 *Benefits) Act 1999*

6 **1 Paragraphs 15(1)(c) and 16(2)(c)**

7 Omit “\$22,398”, substitute “\$22,801”.

8 *Medicare Levy Act 1986*

9 **2 Subsection 3(1) (paragraph (a) of the definition of *phase-in***
10 ***limit*)**

11 Omit “\$44,272”, substitute “\$45,069”.

12 **3 Subsection 3(1) (paragraph (c) of the definition of *phase-in***
13 ***limit*)**

14 Omit “\$27,997”, substitute “\$28,501”.

15 **4 Subsection 3(1) (paragraph (a) of the definition of *threshold***
16 ***amount*)**

17 Omit “\$35,418”, substitute “\$36,056”.

18 **5 Subsection 3(1) (paragraph (c) of the definition of *threshold***
19 ***amount*)**

20 Omit “\$22,398”, substitute “\$22,801”.

21 **6 Subsection 8(5) (definition of *family income threshold*)**

22 Omit “\$37,794”, substitute “\$38,474”.

23 **7 Subsection 8(5) (definition of *family income threshold*)**

24 Omit “\$3,471”, substitute “\$3,533”.

25 **8 Subsections 8(6) and (7)**

26 Omit “\$37,794”, substitute “\$38,474”.

1 **9 Subsection 8(7)**

2 Omit “\$49,304”, substitute “\$50,191”.

3 **10 Paragraph 8D(3)(c)**

4 Omit “\$22,398”, substitute “\$22,801”.

5 **11 Subparagraph 8D(4)(a)(ii)**

6 Omit “\$22,398”, substitute “\$22,801”.

7 **12 Paragraph 8G(2)(c)**

8 Omit “\$22,398”, substitute “\$22,801”.

9 **13 Subparagraph 8G(3)(a)(ii)**

10 Omit “\$22,398”, substitute “\$22,801”.

11 **14 Application of amendments**

12 The amendments made by this Schedule apply to assessments for the
13 2019-20 year of income and later years of income.

1
2

Schedule 15—Intergenerational report

3

Charter of Budget Honesty Act 1998

4

1 Paragraph 20(1)(a) of Schedule 1

5

Repeal the paragraph, substitute:

6

- (a) an intergenerational report is to be publicly released and
7 tabled on or before 30 June 2021;

Schedule 16—Deferral of sunseting

1 Deferral of sunseting

(1) This item applies if, on or before 15 October 2020, an Act or legislative instrument, or a provision of an Act or legislative instrument, (the *sunseting legislation*) would (apart from this item) cease to have any operation on a day (the *original sunset day*).

(2) A relevant Minister for the sunseting legislation may, by legislative instrument, before the original sunset day, determine that the sunseting legislation:

(a) continues to operate until a specified day (the *later sunset day*) that is no later than 6 months from the original sunset day; and

(b) ceases to operate on that later sunset day.

(3) A legislative instrument made under subitem (2) has effect according to its terms despite any other law of the Commonwealth.

(4) To avoid doubt, and without limiting subitem (1), sunseting legislation may cease to have any operation on a day because:

(a) the sunseting legislation is repealed or ceases to be in force (however described); or

(b) any power, right or liability conferred, created or imposed by the sunseting legislation ceases.

(5) In this item, a *relevant Minister* for sunseting legislation is:

(a) if the sunseting legislation is an Act or a provision of an Act—any Minister who administers the Act or the provision (whether alone or together with one or more other Ministers); or

(b) if the sunseting legislation is a legislative instrument or a provision of a legislative instrument—any Minister who administers the enabling legislation (within the meaning of the *Legislation Act 2003*) under which that legislative instrument is made.

(44/20)