

Senate Community Affairs Legislation Committee

SUPPLEMENTARY BUDGET ESTIMATES – 22 OCTOBER 2015 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: WA Enforcement Case

Question reference number: HS 161

Senator: Xenophon

Type of question: Written

Date set by the committee for the return of answer: 11 December 2015

Number of pages: 1

Question:

With respect to court proceedings:

- a) Is it correct that the Registrar, despite being the applicant, sought an adjournment prior to the enforcement hearing?
- b) If so, what was the basis for seeking the adjournment?
- c) Was the judicial officer critical of the Registrar for not initiating a change of assessment in the circumstances (noting the legislation allows for this)?
- d) Did the judicial officer make orders for the Registrar to conduct a change of assessment?

Answer:

- a) Yes.
- b) The mother made an application for a Change of Assessment on 18 May 2015 which was not finalised before the first hearing date of 9 July 2015. Given a decision could potentially change the amount of the debt (increase or reduce), the Department of Human Services instructed its legal representative to seek to adjourn the 9 July 2015 hearing to allow the administrative review process to be finalised.
- c) No.
- d) No.