

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Program 1.7**

**Question No. 148**

**Senator McKenzie asked the following question at the hearing on 16 October 2012:**

Ex gratia payments

- a) The Disaster Assist website says that less than 20 people were granted ex gratia payments in relation to the North Eastern Victoria flooding event in early 2012.
- b) These payments totalled less than \$20,000.
- c) Were these ex gratia payments for New Zealanders resident in North Eastern Victoria?
- d) What are the other circumstances under which people can apply for an ex gratia payment following a natural disaster?
- e) How do they do so?
- f) Has anyone made such an application following the North Eastern Victoria floods?

**The answer to the honourable senator's question is as follows:**

- a) Yes.
- b) Yes.
- c) Yes.
- d) The Australian Government may choose to make ex gratia payments available following a disaster. Ex gratia payments are not standard assistance measures and may be provided to meet a particular recovery need in the community. The two ex gratia payments that the Australian Government has made available following natural disasters are the New Zealand 'non protected' Special Category Visa holders payment and the Disaster Income Recovery Subsidy payment. The New Zealand 'non-protected' Special Category Visa holders payment is a one-off payment equivalent to the Australian Government Disaster Recovery Payment. The Disaster Income Recovery Subsidy is an ex gratia payment made available to assist employees, small business persons and farmers who lost income as a result of a disaster event. The Subsidy provides fortnightly payments equivalent to the maximum rate of Newstart allowance, payable for a period of up to 13 weeks. Further details are available on the Disaster Assist website.
- e) If ex gratia payments are made available, eligible people may apply to the Commonwealth Department of Human Services.
- f) No. The ex gratia payment for New Zealand visa holders was the only ex gratia payment made available following the North Eastern Victoria floods of 2012.