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Senate Standing Committees on Community Affairs

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13 March 2026

Submission to inquiry into Social Security and Other Legislation Amendment (Technical Changes No.1) Bill 2026

About Economic Justice Australia

Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people on their social security issues and rights. Our member centres across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 40 years.

EJA provides expert advice to government on social security reform to make it more effective and accessible. Our law and policy reform work:

- strengthens the effectiveness and integrity of our social security system
- educates the community
- improves people's lives by reducing poverty and inequality.

Submission: Schedule 1 – Child Support

1. Most EJA member centres do not provide legal services in relation to the child support system, instead focusing on the impact of child support on social security and family assistance payments. As such we will not be making a submission about the merit of the changes in this schedule, but EJA would note that we support efforts to ensure Government policy and decision making are compliant with the law.

Submission: Schedule 2 – Urgent Payments

2. EJA is broadly supportive of the changes contained in Schedule 2 of the Bill but would like the Committee to note the below observations.
3. EJA understands the primary reason for the changes in Schedule 2 of the Bill is to codify and improve upon a policy governing urgent payment of social security benefits, which has been operating inconsistently with legislation to date. While EJA has never been in favour of government agencies acting contrary to the law, we do note this policy has been beneficial to social security recipients and lacks the adverse impact or harm of other unlawful practices, such as Robodebt.
4. These changes represent an improvement on the current policy in terms of access to urgent payments. Under the current approach, recipients are limited to two urgent payments in a 12-month period, whereas these changes contemplate a person receiving up to ten in a 90-day period before intervention takes place.
5. EJA recommends removing the upper limit on the amount a person can request as an urgent payment, which the Bill currently sets at \$200. Subsection (3DD) in Item 9 of the Bill already limits how much can actually be paid, and there appears to be little utility in refusing to consider larger requests. The reasons a person may require an urgent payment are many and varied, and not limited to an arbitrary monetary value.
6. Further, the Bill does not contemplate indexation of this limit. If an upper limit must be placed on requests, that limit should be indexed to account for inflation. Without making this change, further legislative work will be needed when \$200 is no longer a relevant figure.

Submission: Schedule 3 – Employment Income Attribution Rules

7. EJA notes these changes should have been included in the *Regulatory Reform Omnibus Act 2025*, which introduced the current version of *Social Security Act 1991 s 1073BAB* passed in December last year. It is disappointing that a rushed legislative process has meant further amendments are needed so soon.

Recommendations

Recommendation 1: Pass the proposed changes contained in Schedule 2 of the Bill, so as to codify and expand social security recipients' access to urgent payments, subject to the above observations regarding the upper limit on requests.

Contact

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