

Department of Social Services

ANSWER TO QUESTION ON NOTICE

Senate Community Affairs Legislation Committee

**Inquiry into the Social Security and Other Legislation Amendment
(Technical Changes No. 2) Bill 2025**

Public Hearing – 3 October 2025

Topic: Senate Community Affairs Legislation Committee inquiry into the Social Security and Other Legislation Amendment (Technical Changes No. 2) Bill 2025

Question reference number: IQ25-000019

Question asked by: Penny Allman-Payne

Type of Question: Spoken. **Hansard Page/s:** 24-25

Date set by the Committee for the return of answer: 9 October 2025

Question:

Senator ALLMAN-PAYNE: You're not certain, though, that it wasn't applied before then. Back to my original question—in the advice that you gave to the minister, was that the only time period or were there a range of options put to the minister about the time period that the waiver could cover?

Mr Flavel: As you know, the normal convention is not to talk about particular elements of advice. I've already said we've provided a range of advice to the minister. If you want to go to specifics about when and where, I'll take that on notice.

Senator ALLMAN-PAYNE: Yes, if you could take that on notice it would be really appreciated.

Mr Flavel: Sure.

Answer:

The Department has provided a range of advice to the Minister on options for resolving income apportionment.

Changes to social security law were made in September 2003. It is now understood, from this date income apportionment was unlawful for most payment types.