

## **Social Security (Actuarial Certificate - Life Expectancy Income Stream Guidelines) Determination 2012**

*FRLI ID: F2012L02567*

*Portfolio: Families, Community Services and Indigenous Affairs*

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### **Summary of committee view**

2.15 The committee seeks clarification as to rationale for changing the guidelines and the possible impact of the changes on the quantum of social security benefits payable to persons.

### **Overview**

2.16 These legislative instruments provide guidelines to be complied with when determining whether an income stream is an asset-test exempt income stream that is generally exempt from the asset testing requirements of the *Social Security Act 1991*. Where these guidelines are not satisfied, the income stream would lose its asset-test exemption. As a result, the instruments may ultimately affect the rate of social security payable to a person.

### **Compatibility with human rights**

2.17 The statements of compatibility for both instruments state that the instruments do not engage any of the applicable rights or freedoms.

2.18 However, as the instruments may affect the rate of social security payable to a person, the instruments may engage the right to social security contained in article 9 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

2.19 **The committee intends to write to the Minister for Families, Community Services and Indigenous Affairs to seek further clarification in relation to:**

- **the rationale for changing the guidelines; and**
- **the potential impact of the changes to the guidelines on the quantum of social security benefits payable to persons, including the number of social security recipients who may receive reduced benefits as a result of the changes.**