

**Senate Community Affairs Committee**  
**ANSWERS TO ESTIMATES QUESTIONS ON NOTICE**  
**SOCIAL SERVICES PORTFOLIO**  
**2014-15 Supplementary Estimates Hearings**

**Outcome Number:** Cross Outcome - Across Programs

**Question No:** 72

**Topic:** Sunset Provisions

**Hansard Page:** Written

**Senator Ludwig asked:**

Please list all current legislation, covered by the department's portfolio, which contain a sunset provision/s. For each, please provide:

1. What work has been done towards preparing for the activation of sunset provisions? If no work has commenced, why not?
2. Has any consideration been given to delaying or alerting the sunset provisions?
3. Please provide a schedule or a workplan for the sunset provisions becoming active.
4. When did/will this work begin?
5. When is/was the review due to commence?
6. What is the expected report date?
7. Who is the Minister responsible for the review?
8. What department is responsible for the review?
9. List the specific clauses or legislation under review caused by the statutory provision.
10. List the terms of reference.
11. What is the scope of the review?
12. Who is conducting the review? How were they selected? What are the legislated obligations for the selection of the person to conduct the review?
13. What is the budgeted, projected or expected cost of the review?"
14. When was the Minister briefed on this matter?
15. What decision points are upcoming for the Minister on this matter?
16. List the number of officers, and their classification level, involved in conducting the review.
17. Will the report will be tabled in Parliament or made public. If so, when?

**Answer:**

The answers are provided in the **Attachment**.

***Social and Community Services Pay Equity Special Account Act 2012, section 10:***

**This Act ceases to have effect on 30 June 2021.**

**Answers:**

1. None. This legislation ceases effect on 30 June 2021. The duration of the Act aligns with the implementation period of the Fair Work Australia Social and Community Services Equal Remuneration Order.
2. No.
3. N/A
4. to 6. N/A
7. If applicable – the Minister for Social Services, the Hon Kevin Andrews MP.
8. If applicable – the Department of Social Services.
9. to 17. N/A

***Annual Prudential Compliance Statement Determination 2014 [legislative instrument], section 3:***

**This determination ceases on 1 July 2015.**

**Answers:**

1. None. The Fees and Payments Principles 2014 No 2 covers all the matters approved providers are required to report on for the 2014-15 financial year and beyond. There will no longer be a need for the Annual Prudential Compliance Statement Determination 2014.

***Social Security (Administration) Act 1999, subsections 123UF(1) and (2) (Persons subject to the income management regime – Queensland Commission):***

**A person is *subject to the income management regime* at a particular time (the *test time*) if ... the test time occurs before 1 January 2016.**

**AND**

***Social Security (Administration) – Queensland Commission (Family Responsibilities Commission) Specification 2014 [legislative instrument]:***

**This Specification ceases immediately before 1 January 2016.**

**Answers:**

1. In Cape York, income management is funded until 31 December 2015. Decisions on the future directions of the Cape York Welfare Reform (CYWR) programme and income management are matters for the Australian Government.
2. Consideration of the delay or alerting of the sunset provisions will depend on future decisions on income management in Cape York and the CYWR programme more broadly. CYWR policy falls under the Indigenous Affairs portfolio.

3. The activation of the sunset provisions will depend on future decisions on income management under the Cape York measure and the CYWR programme more broadly.

4. to 8. N/A

9. Specific clauses or legislation:

- *Social Security (Administration) Act 1999*, subsections 123UF(1) and (2) (Persons subject to the income management regime – Queensland Commission); and
- *Social Security (Administration) – Queensland Commission (Family Responsibilities Commission) Specification 2014* [legislative instrument].

10. to 17. N/A