

# Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Act 2015

No. 173, 2015

An Act to amend the law relating to family assistance, and for related purposes

Note: An electronic version of this Act is available in ComLaw (http://www.comlaw.gov.au/)

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[Assented to 11 December 2015]

The Parliament of Australia enacts:

## 1 Short title

This Act may be cited as the *Social Services Legislation* Amendment (Family Payments Structural Reform and Participation Measures) Act 2015.

#### 2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information				
Column 1	Column 2	Column 3		
Provisions	Commencement	Date/Details		
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	11 December 2015		
3. Schedule 2	1 July 2016.	1 July 2016		

Note:

This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

## 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

# Schedule 2—Family tax benefit Part B rate

# A New Tax System (Family Assistance) Act 1999

# 4 At the end of Subdivision AA of Division 1 of Part 4 of Schedule 1

Add:

### 28D Member of a couple whose youngest FTB child has turned 13

- (1) Despite Subdivisions A and B, an individual's Part B rate is nil if:
  - (a) the individual is a member of a couple; and
  - (b) the youngest FTB child of the individual has turned 13 years of age.
- (2) Subclause (1) does not apply if the individual is a grandparent or great-grandparent of that FTB child.
- (3) In determining, for the purposes of this clause, whether an individual is a *grandparent* or *great-grandparent* of another person, treat the following relationships as if they were biological child-parent relationships:
  - (a) the relationship between an adopted child and his or her adoptive parent;
  - (b) the relationship between a step-child and his or her step-parent;
  - (c) the relationship between a relationship child and his or her relationship parent.
- (4) In this clause:

*adoptive parent*, of a person (the *child*), means the person who adopted the child under a law of any place (whether in Australia or not) relating to the adoption of children.

*step-parent*, of a person (the *child*), means the person who:

(a) is the current or former partner of the biological parent, adoptive parent or relationship parent of the child; and

(b) is not the biological parent, adoptive parent or relationship parent of the child.

# 10 Application and transitional provisions

(1) The amendments made by this Schedule apply in relation to working out the rate of family tax benefit for days on or after the commencement of this Schedule.

[Minister's second reading speech made in— House of Representatives on 21 October 2015 Senate on 30 November 2015]

(183/15)