





# **Farm Household Support (Consequential and Transitional Provisions) Act 2014**

**No. 13, 2014**

**An Act to deal with consequential and transitional matters arising from the enactment of the *Farm Household Support Act 2014*, and for related purposes**

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



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## Contents

1	Short title.....	2
2	Commencement.....	2
3	Schedule(s).....	4
<b>Schedule 1—Repeal of the Farm Household Support Act 1992</b>		5
	<i>Farm Household Support Act 1992</i>	5
<b>Schedule 2—Consequential amendments</b>		6
Part 1—Consequential amendments		6
	<i>Aged Care Act 1997</i>	6
	<i>Age Discrimination Act 2004</i>	6
	<i>A New Tax System (Family Assistance) (Administration) Act 1999</i>	6
	<i>Dairy Produce Act 1986</i>	7
	<i>Income Tax Assessment Act 1936</i>	10
	<i>Income Tax Assessment Act 1997</i>	11
	<i>Small Superannuation Accounts Act 1995</i>	14
	<i>Social Security Act 1991</i>	15
	<i>Social Security (Administration) Act 1999</i>	19
	<i>Veterans' Entitlements Act 1986</i>	24
Part 2—Contingent amendments		25
Division 1—Amendments if this Act commences before the Minerals Resource Rent Tax Repeal and Other Measures Act 2014		25
	<i>Minerals Resource Rent Tax Repeal and Other Measures Act 2014</i>	25
	<i>Social Security Act 1991</i>	25
Division 2—Amendments if this Act commences after the Minerals Resource Rent Tax Repeal and Other Measures Act 2014		25
	<i>Social Security Act 1991</i>	25
Division 3—Amendments contingent on the Social Security Legislation Amendment (Increased Employment Participation) Act 2014		26
	<i>Farm Household Support Act 2014</i>	26
Division 4—Amendments relating to interim farm household allowance		26

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<i>Income Tax Assessment Act 1997</i>	26
<i>Social Security Act 1991</i>	27
Division 5—Amendments relating to repeal of references to interim farm household allowance and transitional farm family payment	27
<i>Income Tax Assessment Act 1997</i>	27
<i>Social Security Act 1991</i>	28
<b>Schedule 3—Transitional provisions</b>	29



# **Farm Household Support (Consequential and Transitional Provisions) Act 2014**

**No. 13, 2014**

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**An Act to deal with consequential and transitional  
matters arising from the enactment of the *Farm  
Household Support Act 2014*, and for related  
purposes**

*[Assented to 28 March 2014]*

The Parliament of Australia enacts:

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## 1 Short title

This Act may be cited as the *Farm Household Support (Consequential and Transitional Provisions) Act 2014*.

## 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	28 March 2014
2. Schedule 1	At the same time as section 3 of the <i>Farm Household Support Act 2014</i> commences.	
3. Schedule 2, Part 1	At the same time as section 3 of the <i>Farm Household Support Act 2014</i> commences.	
4. Schedule 2, item 139	Immediately before the commencement of item 23 of Schedule 8 to the <i>Minerals Resource Rent Tax Repeal and Other Measures Act 2014</i> .  However, the provision(s) do not commence at all if that item commences before the time section 3 of the <i>Farm Household Support Act 2014</i> commences.	
5. Schedule 2, item 140	At the same time as section 3 of the <i>Farm Household Support Act 2014</i> commences.  However, the provision(s) do not commence at all if item 23 of Schedule 8 to the <i>Minerals Resource Rent Tax Repeal and</i>	

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
	<i>Other Measures Act 2014</i> commences before the time section 3 of the <i>Farm Household Support Act 2014</i> commences.	
6. Schedule 2, Part 2, Division 2	At the same time as section 3 of the <i>Farm Household Support Act 2014</i> commences. However, the provision(s) do not commence at all if section 3 of the <i>Farm Household Support Act 2014</i> commences at or before the time item 23 of Schedule 8 to the <i>Minerals Resource Rent Tax Repeal and Other Measures Act 2014</i> commences.	
7. Schedule 2, Part 2, Division 3	The later of: (a) immediately after the commencement of section 3 of the <i>Farm Household Support Act 2014</i> ; and (b) immediately after the commencement of item 2 of Schedule 1 to the <i>Social Security Legislation Amendment (Increased Employment Participation) Act 2014</i> . However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.	
8. Schedule 2, Part 2, Division 4	26 February 2014.	26 February 2014
9. Schedule 2, Part 2, Division 5	A single day to be fixed by Proclamation. However, if the provision(s) do not commence within the period of 12 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	
10. Schedule 3, item 1	At the same time as section 3 of the <i>Farm Household Support Act 2014</i> commences.	
11. Schedule 3,	At the same time as section 1 of the <i>Farm</i>	28 March 2014

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
item 2	<i>Household Support Act 2014</i> commences.	

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 Schedule(s)**

Each Act 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 1—Repeal of the Farm Household Support Act 1992**

### *Farm Household Support Act 1992*

#### **1 The whole of the Act**

Repeal the Act.

## Schedule 2—Consequential amendments

### Part 1—Consequential amendments

#### *Aged Care Act 1997*

##### **1 Clause 1 of Schedule 1 (definition of *income support payment*)**

Repeal the definition, substitute:

*income support payment* means an income support payment within the meaning of subsection 23(1) of the *Social Security Act 1991*.

##### **2 Continuing application of provision**

Despite the amendment of the definition of *income support payment* in clause 1 of Schedule 1 to the *Aged Care Act 1997* made by this Schedule, that definition continues to apply in relation to a payment of farm household support or a drought relief payment under the *Farm Household Support Act 1992* as if that amendment had not been made.

#### *Age Discrimination Act 2004*

##### **3 Subsection 41(2AA)**

Repeal the subsection, substitute:

(2AA) This Part does not make unlawful anything done by a person in direct compliance with section 8, 16 or 21, Division 8 of Part 2, or Part 5, of the *Farm Household Support Act 2014*.

#### *A New Tax System (Family Assistance) (Administration) Act 1999*

##### **4 Paragraph 84(1)(b)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**5 Subparagraphs 84A(1)(b)(ii), 92(1)(a)(i), 92A(1)(a)(i)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**6 Continuing application of provisions**

Despite the amendments of the *A New Tax System (Family Assistance) (Administration) Act 1999* made by this Schedule, that Act continues to apply in relation to debts due under the *Farm Household Support Act 1992* as if those amendments had not been made.

***Dairy Produce Act 1986***

**7 Paragraph 119(2B)(b)**

Omit “2, or”, substitute “2.”.

**8 Paragraphs 119(2B)(c) to (e)**

Repeal the paragraphs.

**9 Continuing application of provision**

Despite the amendments of section 119 of the *Dairy Produce Act 1986* made by this Schedule, that section continues to apply in relation to the recording or disclosure of information or the production of a document for a purpose referred to in any of paragraphs 119(2B)(c) to (e) of that Act (as in force immediately before this item commences) as if those amendments had not been made.

**10 Clause 1 of Schedule 2**

Omit “and Part 9C of the *Farm Household Support Act 1992*” (first occurring).

**11 Clause 1 of Schedule 2**

Omit:

**Schedule 2** Consequential amendments

**Part 1** Consequential amendments

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- This Schedule and Part 9C of the *Farm Household Support Act 1992* provide a framework for the implementation of the Dairy Industry Adjustment Program.

substitute:

- This Schedule provides a framework for the implementation of the Dairy Industry Adjustment Program.

**12 Clause 1 of Schedule 2**

Omit:

- (c) dairy exit payments (made under Part 9C of the *Farm Household Support Act 1992*);

**13 Clause 1 of Schedule 2**

Omit:

- Dairy exit payments are available for farmers who choose to leave agriculture.

**14 Clause 1 of Schedule 2**

Omit:

- The levy will be paid into a Dairy Structural Adjustment Fund, and DSAP payments, SDA payments, dairy exit payments and payments under the Dairy Regional Assistance Programme will be paid out of that Fund.

substitute:

- The levy will be paid into a Dairy Structural Adjustment Fund, and DSAP payments, SDA payments and payments under the Dairy Regional Assistance Programme will be paid out of that Fund.

**15 Clause 2 of Schedule 2 (definition of *dairy exit payment*)**

Repeal the definition.

**16 Clause 2 of Schedule 2 (definition of *dairy-type grant*)**

Repeal the definition.

**17 Clause 2 of Schedule 2 (definition of *DEP scheme*)**

Repeal the definition.

**18 Subclause 19(2) of Schedule 2**

Omit “, 52 and 53”, substitute “and 52”.

**19 Subclause 19(2) of Schedule 2 (note 4)**

Repeal the note.

**20 Clause 37L of Schedule 2**

Omit “, 52 and 53”, substitute “and 52”.

**21 Clause 37L of Schedule 2 (note 4)**

Repeal the note.

**22 Subparagraph 43(3)(d)(ii) of Schedule 2**

Omit “enterprise;”, substitute “enterprise.”.

**23 Paragraphs 43(3)(e) and (f) of Schedule 2**

Repeal the paragraphs.

**24 Continuing application of provision**

Despite the amendments of clause 43 of Schedule 2 to the *Dairy Produce Act 1986* made by this Schedule, that clause continues to apply in relation to a recording or disclosure referred to in paragraph 43(3)(e) or (f) of Schedule 2 to that Act (as in force immediately before this item commences) as if those amendments had not been made.

**25 Clause 53 of Schedule 2**

Repeal the clause.

**26 Continuing application of provision**

Despite the repeal of clause 53 of Schedule 2 to the *Dairy Produce Act 1986* by this Schedule, that clause continues to apply in relation to a decision referred to in paragraph 53(1)(b) of Schedule 2 to that Act (as in force immediately before this item commences) as if that repeal had not occurred.

**27 Paragraphs 78(f) and (fa) of Schedule 2**

Repeal the paragraphs.

**28 Paragraphs 79(b), (ba), (j) and (ja) of Schedule 2**

Repeal the paragraphs.

**29 Paragraph 80(a) of Schedule 2**

Omit “, SDA payments, dairy exit payments and dairy-type grants”, substitute “and SDA payments”.

**30 Paragraphs 94(2)(b) and (ba) of Schedule 2**

Repeal the paragraphs.

***Income Tax Assessment Act 1936***

**31 Subsection 79A(4) (definition of *prescribed allowance*)**

Repeal the definition, substitute:

*prescribed allowance* means so much of a payment under the *Social Security Act 1991* or the *Veterans' Entitlements Act 1986* as was included in the payment by way of remote area allowance.

**32 Subsection 160AAA(1) (paragraph (da) of the definition of *rebatable benefit*)**

Repeal the paragraph.

***Income Tax Assessment Act 1997***

**33 Section 11-15 (table item headed “social security or like payments”)**

Omit:

clean energy advance under the *Farm Household Support Act 1992* ..... 53-10

**34 Section 11-15 (table item headed “social security or like payments”)**

Omit:

exceptional circumstances relief, payment for ..... 53-10 and 53-15

farmers hardship bonus under the *Social Security Act 1991* ..... 52-10

farm help income support ..... 53-10 and 53-15

substitute:

farm household allowance under the *Farm Household Support Act 2014* ..... Subdivision 52-A

**35 Section 13-1 (table items headed “exceptional circumstances relief” and “farm help income support”)**

Repeal the items.

**36 Section 13-1 (table item headed “primary production”)**

Omit:

exceptional circumstances relief payments see *social security and other benefit payments*

farm help income support payments see *social security and other benefit payments*

farm household support see *social security and other benefit payments*

substitute:

farm household allowance see *social security and other benefit payments*.....

**37 Section 13-1 (table item headed “social security and other benefit payments”)**

Omit:

exceptional circumstances relief under the *Farm*

*Household Support Act 1992* ..... 160AAA(3)

farm help income support under the *Farm Household*

*Support Act 1992* ..... 160AAA(3)

substitute:

farm household allowance under the *Farm Household*

*Support Act 2014* see *unemployment, sickness and other benefit payments under the Social Security*

*Act 1991* .....

**38 Paragraph 52-10(1)(z)**

Repeal the paragraph.

**39 Subsection 52-10(1H)**

Repeal the subsection.

**40 At the end of subsection 52-10(3)**

Add:

Note: A reference in this table to newstart allowance or youth allowance includes a reference to farm household allowance under the *Farm Household Support Act 2014* (see Part 5 of that Act). Other payments referred to in this table (such as advance pharmaceutical supplement) might also be payable to a person who is receiving farm household allowance.

**41 At the end of section 52-15**

Add:

Note: A reference in this table to newstart allowance or youth allowance includes a reference to farm household allowance under the *Farm Household Support Act 2014* (see Part 5 of that Act).

**42 At the end of subsection 52-30(1)**

Add:

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Note: A reference in this table to newstart allowance or youth allowance includes a reference to farm household allowance under the *Farm Household Support Act 2014* (see Part 5 of that Act).

**43 Section 53-10 (table items 1A, 3 and 4)**

Repeal the items.

**44 Section 53-10 (note 1)**

Repeal the note.

**45 Section 53-15**

Repeal the section.

**46 Paragraph 118-37(1)(d)**

Repeal the paragraph.

**47 Paragraph 393-15(2)(d)**

Omit “393-40(3), (3A)”, substitute “393-40(3A)”.

**48 Paragraph 393-15(2)(d)**

Omit “in exceptional circumstances or”.

**49 Subsections 393-40(1) and (2) (note 1)**

Omit “(3),”.

**50 Subsection 393-40(3)**

Repeal the subsection.

**51 Subsection 393-40(4)**

Omit “(3) or”.

**52 Subsection 393-55(2) (paragraph (d) of note 1)**

Omit “(3), (3A) and (4) (about repayment in exceptional circumstances or”, substitute “(3A) and (4) (about repayment”.

**53 Subsection 995-1(1) (paragraph (a) of the definition of *Agriculture Department*)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**54 Subsection 995-1(1) (definition of *Agriculture Minister*)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**55 Subsection 995-1(1) (table item 2 in the definition of *supplementary amount*)**

Repeal the item.

**56 Application of amendments**

The amendments of the *Income Tax Assessment Act 1936* and the *Income Tax Assessment Act 1997* made by this Schedule apply in relation to payments made after this item commences, other than any such payment that relates to a day before this item commences.

***Small Superannuation Accounts Act 1995***

**57 Subsection 64(7) (paragraphs (b) and (c) of the definition of *Commonwealth income support payment*)**

Repeal the paragraphs.

**58 Continuing application of provision**

Despite the amendment of the definition of *Commonwealth income support payment* made by this Schedule, that definition continues to apply in relation to a drought relief payment or an exceptional circumstances relief payment under the *Farm Household Support Act 1992* as if that amendment had not been made.

***Social Security Act 1991***

**59 Subsection 23(1) (definition of *Farm Household Support Act 1992*)**

Repeal the definition.

**60 Subsection 23(1) (definition of *officer*)**

Omit “or the *Farm Household Support Act 1992*”.

**61 Subsection 547B(1)**

Repeal the subsection, substitute:

- (1) A person is excluded from the application of the youth allowance assets test if the person is independent but the person’s partner is receiving a payment of pension, benefit or allowance referred to in Module L.

**62 Section 547D**

Omit “Sections 547E to 547G”, substitute “Sections 547E and 547G”.

**63 Section 547F**

Repeal the section.

**64 Section 573A**

Omit all the words (including the paragraphs but not including the table) after “is receiving”, substitute “or has received a payment of pension, benefit, allowance or compensation referred to in the table at the end of this section.”.

**65 Section 573C**

Omit “Sections 573D and 573E apply”, substitute “Section 573D applies”.

**66 Section 573E**

Repeal the section.

**67 Part 2.18 (heading)**

Repeal the heading, substitute:

**Part 2.18—Training and learning bonus**

**68 Division 1 of Part 2.18 (heading)**

Repeal the heading.

**69 Division 2 of Part 2.18**

Repeal the Division.

**70 Paragraph 916D(3)(e)**

Repeal the paragraph.

**71 Paragraph 916D(5)(e)**

Repeal the paragraph.

**72 Subparagraph 919(2)(a)(ii)**

Repeal the subparagraph.

**73 Subsection 1061ZK(6)**

Repeal the subsection.

**74 Paragraph 1067G-F3(b)**

Repeal the paragraph.

**75 Point 1067G-G2**

Omit “Subject to point 1067G-G3, the”, substitute “The”.

**76 Subpoints 1067G-G3(1) and (2)**

Repeal the subpoints.

**77 Point 1071A-4 (definition of *exceptional circumstances relief payment*)**

Repeal the definition.

**78 Point 1071A-4 (definition of *farm help income support*)**

Repeal the definition.

**79 Subsections 1130B(2) and 1131(2)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**80 Subsection 1185K(5) (paragraph (b) of the definition of *income*)**

Omit “or”.

**81 Subsection 1185K(5) (paragraph (c) of the definition of *income*)**

Repeal the paragraph.

**82 Subsection 1185Y(5) (definition of *income*)**

Repeal the definition, substitute:

*income*, in relation to a person, has the same meaning as in subsection 8(1), except that, in addition to any amount that is not income of the person because of subsection 8(4), (5), (7A) or (8), any payment to the person under the Veterans’ Entitlements Act is not income of the person for the purposes of this section.

**83 Paragraph 1223ABAAB(1)(a)**

Omit “, farmers hardship bonus”.

**84 Paragraphs 1223ABAAB(2)(f) and (g)**

Repeal the paragraphs.

**85 Section 1227A**

Repeal the section.

**86 Section 1230B**

Omit “1227A,”.

**87 Section 1231AA**

Omit “, 1231A”.

**88 Paragraph 1231AA(a)**

Omit “sections 1231 and 1231A”, substitute “section 1231”.

**89 Paragraph 1231(1)(aa)**

Repeal the paragraph.

**90 Section 1231A**

Repeal the section.

**91 Subsection 1233(1)**

Omit “1227A or”.

**92 Paragraph 1234A(1)(a)**

Omit “*Farm Household Support Act 1992*”, substitute “*Farm Household Support Act 2014*”.

**93 Continuing application of provisions**

Despite the amendments or repeals of the following sections of the *Social Security Act 1991* by this Schedule, those sections continue to apply in relation to payments made under the *Farm Household Support Act 1992* as if those amendments or repeals had not occurred:

- (a) section 573A;
- (b) section 916D;
- (c) section 1227A;
- (d) section 1230B;
- (e) section 1231;
- (f) section 1231A;
- (g) section 1233;
- (h) section 1234A.

***Social Security (Administration) Act 1999***

**94 Subsection 10(4)**

Repeal the subsection.

**95 Section 12AB (heading)**

Repeal the heading, substitute:

**12AB Economic security strategy payment and training and learning bonus**

**96 Section 12AB**

Omit “, training and learning bonus or farmers hardship bonus”, substitute “or training and learning bonus”.

**97 Subsection 47(1) (paragraph (hv) of the definition of *lump sum benefit*)**

Repeal the paragraph, substitute:

(hv) activity supplement; or

(hw) farm financial assessment supplement; or

**98 Section 47C (heading)**

Repeal the heading, substitute:

**47C Payment of economic security strategy payments and training and learning bonuses**

**99 Subsection 47C(2)**

Omit “or farmers hardship bonus”.

**100 After section 47C**

Insert:

**47CA Payment of activity supplement or farm financial assessment supplement**

The following payments are to be paid to a person on the date the Secretary considers to be the earliest date on which it is reasonably practicable for the payment to be made to the person:

- (a) activity supplement;
- (b) farm financial assessment supplement.

**101 At the end of subsection 66(1)**

Add:

- ; (m) farm household allowance in relation to a person who has reached pension age.

**102 Subsection 106B(4) (subparagraph (b)(ii) of the definition of *listed automatic issue health care card*)**

Omit “apprentice; or”, substitute “apprentice.”.

**103 Subsection 106B(4) (paragraph (c) of the definition of *listed automatic issue health care card*)**

Repeal the paragraph.

**104 Section 123TC (paragraph (a) of the definition of *household stimulus payment*)**

Omit “Division 1 of”.

**105 Section 123TC (paragraph (b) of the definition of *household stimulus payment*)**

Repeal the paragraph.

**106 Paragraph 126(1)(c)**

Repeal the paragraph.

**107 Subsection 127(3)**

After “decision made”, insert “personally”.

**108 Subsection 127(3)**

Omit “under the *Farm Household Support Act 1992*”, substitute “under or in relation to the *Farm Household Support Act 2014*”.

**109 Paragraph 129(1)(c)**

Repeal the paragraph.

**110 Paragraph 129(4)(d)**

After “decision made”, insert “personally”.

**111 Paragraph 129(4)(d)**

Omit “under the *Farm Household Support Act 1992*”, substitute “under or in relation to the *Farm Household Support Act 2014*”.

**112 Paragraph 140(1)(d)**

Repeal the paragraph.

**113 Paragraphs 144(c) and (j)**

Repeal the paragraphs.

**114 Paragraph 175(1)(a)**

Omit “or under the *Farm Household Support Act 1992*”.

**115 Subsection 175(2)**

Omit “or the *Farm Household Support Act 1992*”.

**116 Paragraph 175(5)(b)**

Repeal the paragraph.

**117 Paragraph 178(1)(a)**

Omit “or under the *Farm Household Support Act 1992*”.

**118 Section 193**

Omit “or the *Farm Household Support Act 1992*”.

**119 Paragraph 194(a)**

Omit “or the *Farm Household Support Act 1992*”.

**120 Section 201A (paragraphs (b) and (c) of the definition of officer)**

Omit “or the *Farm Household Support Act 1992*”.

**121 Paragraph 202(1)(b)**

Repeal the paragraph.

**122 Paragraph 202(2)(d)**

Omit “, the *Farm Household Support Act 1992*”.

**123 Paragraph 203(1)(b)**

Omit “or the *Farm Household Support Act 1992*”.

**124 Subsection 203(3)**

Omit “or the *Farm Household Support Act 1992*”.

**125 Paragraph 204(1)(b)**

Omit “, the family assistance law or the *Farm Household Support Act 1992*”, substitute “or the family assistance law”.

**126 Subsection 204(3)**

Omit “or the *Farm Household Support Act 1992*”.

**127 Subsection 206(4)**

Omit “or the *Farm Household Support Act 1992*”.

**128 Section 207**

Omit “or the *Farm Household Support Act 1992*” (first occurring).

**129 Section 207**

Omit “or the *Farm Household Support Act 1992*,” (second occurring).

**130 Paragraph 208(1)(a)**

Omit “or the *Farm Household Support Act 1992*”.

**131 Subclause 1(1) of Schedule 1**

Insert:

*activity supplement* has the meaning given by the *Farm Household Support Act 2014*.

**132 Subclause 1(1) of Schedule 1 (definition of *Agriculture Minister*)**

Omit “1992”, substitute “2014”.

**133 Subclause 1(1) of Schedule 1**

Insert:

*farm financial assessment supplement* has the meaning given by the *Farm Household Support Act 2014*.

*farm household allowance* has the meaning given by the *Farm Household Support Act 2014*.

**134 Continuing application of provisions**

- (1) Despite the amendments of sections 193 and 194 of the Social Security Administration Act made by this Schedule, those sections continue to apply in relation to a debt owed under or as a result of the *Farm Household Support Act 1992* as if those amendments had not been made.
- (2) Despite the amendments of Division 3 of Part 5 of the Social Security Administration Act made by this Schedule, that Division continues to apply in relation to information or things acquired or obtained for the purposes of, or in relation to, the *Farm Household Support Act 1992* as if those amendments had not been made.

***Veterans' Entitlements Act 1986***

**135 Subsection 49J(5) (paragraph (b) of the definition of *income*)**

Omit "or".

**136 Subsection 49J(5) (paragraph (c) of the definition of *income*)**

Repeal the paragraph.

**137 Subsection 49Y(5) (paragraph (b) of the definition of *income*)**

Omit "or".

**138 Subsection 49Y(5) (paragraph (c) of the definition of *income*)**

Repeal the paragraph.

## **Part 2—Contingent amendments**

### **Division 1—Amendments if this Act commences before the Minerals Resource Rent Tax Repeal and Other Measures Act 2014**

#### *Minerals Resource Rent Tax Repeal and Other Measures Act 2014*

##### **139 Item 23 of Schedule 8**

Repeal the item, substitute:

##### **23 Paragraph 1231(1AA)(b)**

Omit “, training and learning bonus or income support bonus”,  
substitute “or training and learning bonus”.

#### *Social Security Act 1991*

##### **140 Paragraph 1231(1AA)(b)**

Omit “, farmers hardship bonus”.

### **Division 2—Amendments if this Act commences after the Minerals Resource Rent Tax Repeal and Other Measures Act 2014**

#### *Social Security Act 1991*

##### **141 Paragraph 1231(1AA)(b)**

Omit “, training and learning bonus or farmers hardship bonus”,  
substitute “or training and learning bonus”.

**Division 3—Amendments contingent on the Social Security Legislation Amendment (Increased Employment Participation) Act 2014**

***Farm Household Support Act 2014***

**142 Section 95 (after table item 1)**

Insert:

- 1A paragraph 861(1)(a) the words “(but not farm household allowance, as it applies because of Part 5 of the *Farm Household Support Act 2014*)” were inserted after “the following”.

**Division 4—Amendments relating to interim farm household allowance**

***Income Tax Assessment Act 1997***

**143 Section 11-15 (table item headed “social security or like payments”)**

Insert:

interim farm household allowance 53-10

**144 Section 53-10 (table item 4D)**

Repeal the item, substitute:

- |    |   |  |   |
|----|---|--|---|
| 4D | <b>Transitional Farm Family Payment or Interim Farm Household Allowance</b> | The program known as the Transitional Farm Family Payment program or as the Interim Farm Household | Only so much of the payment as is included:<br>(a) in lieu of clean energy advance; or<br>(b) by way of clean energy supplement;<br>is exempt |
|----|---|--|---|

Allowance

***Social Security Act 1991***

**145 Subparagraph 919(2)(a)(iii)**

Omit “program; and”, substitute “program;”.

**146 At the end of paragraph 919(2)(a)**

Add:

- (iv) a payment of interim farm household allowance under the program administered by the Commonwealth known as the Interim Farm Household Allowance program; and

**Division 5—Amendments relating to repeal of references to interim farm household allowance and transitional farm family payment**

***Income Tax Assessment Act 1997***

**147 Section 11-15 (table item headed “social security or like payments”)**

Omit:

interim farm household allowance ..... 53-10

**148 Section 11-15 (table item headed “social security or like payments”)**

Omit:

transitional farm family payment ..... 53-10

**149 Section 53-10 (table item 4D)**

Repeal the item.

***Social Security Act 1991***

**150 Subsection 919(2) (heading)**

Repeal the heading, substitute:

*Qualification—ABSTUDY payment*

**151 Paragraphs 919(2)(a) and (b)**

Repeal the paragraphs, substitute:

- (a) a payment under the ABSTUDY Scheme that includes an amount identified as living allowance is payable to the person in respect of a period that includes that day; and
- (b) the person is under pension age on that day.

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## **Schedule 3—Transitional provisions**

### **1 Transitional application of section 40 of the *Farm Household Support Act 2014***

Section 40 of the *Farm Household Support Act 2014* applies, after the commencement of this item, as if the reference to an income support payment in paragraph 40(1)(a) of that Act included a reference to:

- (a) a transitional farm family payment made under the program known as the Transitional Farm Family Payment program; and
- (b) a payment of interim farm household allowance made under the program known as the Interim Farm Household Allowance program; and
- (c) a payment of interim income support made under the program known as the Interim Income Support program; and
- (d) an exceptional circumstances relief payment under the *Farm Household Support Act 1992*.

### **2 Transitional rules**

- (1) The Minister may, by legislative instrument, make rules prescribing matters of a transitional nature (including prescribing any saving or application provisions) relating to:
  - (a) the amendments or repeals made by this Act; or
  - (b) the enactment of this Act or the *Farm Household Support Act 2014*.
- (2) Rules made for the purposes of subitem (1) may provide that the following Acts have effect with any modifications prescribed by the rules:
  - (a) the *Farm Household Support Act 2014*;
  - (b) the Social Security Act;
  - (c) the Social Security Administration Act.
- (3) Without limiting subitem (1), the rules may deal with the transition of a person from a payment made under the executive power of the Commonwealth to farm household allowance.

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*[Minister's second reading speech made in—  
House of Representatives on 6 March 2014  
Senate on 19 March 2014]*

(21/14)

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