

South Australia

Cost of Living Concessions (Eligibility) Variation Regulations 2021

under the *Cost of Living Concessions Act 1986*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Cost of Living Concessions (Eligibility) Variation Regulations 2021*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Cost of Living Concessions Regulations 2020*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *Act* insert:

concessions website means the part of www.sa.gov.au that relates to concessions;

- (2) Regulation 3(1), definition of *low income earner*—delete the definition and substitute:

low income earner, for a financial year, means a person who, during that financial year, earned income that was less than the amount determined by the Minister for that class of person in relation to that financial year by notice published on the concessions website (and if, during the course of the financial year, the Minister, by subsequent notice published on the concessions website, revises any amount so determined, then the amount as so revised will be taken to be the amount determined for the purposes of this definition);

5—Variation of regulation 7—Concession eligibility requirements (section 3(2)(b))

- (1) Regulation 7(1)(d)—delete "designated amount" and substitute:

amount determined for that class of person in relation to that financial year for the purposes of the definition of *low income earner* in regulation 3(1)

- (2) Regulation 7—after subregulation (3) insert:

(3a) Subject to subregulations (3b) and (3c), a person who, in a financial year (the *relevant financial year*), enters into the Switch for Solar program administered by the State Government for the installation of solar panels is not eligible for a payment under section 3(2) of the Act—

(a) for the relevant financial year; and

(b) —

(i) in the case of a person who receives or received a payment for the relevant financial year (despite not being eligible for the payment under paragraph (a))—for each of the 10 financial years following the relevant financial year; or

(ii) in any other case—for each of the 9 financial years following the relevant financial year.

(3b) Despite subregulation (3a)(a), a person who has already received a payment under section 3(2) of the Act for the relevant financial year is not required to return the payment.

(3c) The Minister may determine that subregulation (3a) does not apply to a person in relation to a particular financial year if satisfied that exceptional circumstances exist.

- (3) Regulation 7(4), definition of *designated amount*—delete the definition

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 4 March 2021

No 22 of 2021