

FOI2025-26/094 | Document created under s 17(1) of the FOI Act

For the timeframe 1 July 2012 to 30 June 2025:

Based on available records, the total number of waiver of debt and act of grace claims received by Finance, and the total number of waiver of debt and act of grace claims approved either in full or in part, by Financial Year:

Financial Year & claim type	Approved	Partially Approved	Grand Total
2012-13	86	20	602
Act of grace	37	3	302
Waiver of debt	51	17	313
2013-14	346	193	1142
Act of grace	50	8	297
Waiver of debt	296	186	852
2014-15	225	23	673
Act of grace	70	3	288
Waiver of debt	156	20	395
2015-16	103	16	500
Act of grace	61	10	277
Waiver of debt	43	7	228
2016-17	137	8	578
Act of grace	76	6	297
Waiver of debt	61	3	284
2017-18	146	29	601
Act of grace	59	20	271
Waiver of debt	92	9	341
2018-19	131	15	607
Act of grace	52	6	241
Waiver of debt	85	10	378
2019-20	132	23	1057
Act of grace	49	12	680
Waiver of debt	89	12	396
2020-21	197	38	724
Act of grace	87	32	347
Waiver of debt	110	6	377
2021-22	92	10	1102
Act of grace	39	3	760
Waiver of debt	53	7	342
2022-23	97	15	630
Act of grace	40	9	247
Waiver of debt	57	6	383
2023-24	718	5	1428
Act of grace	649	2	869
Waiver of debt	69	3	559
2024-25	304	4	3218
Act of grace	84	3	547
Waiver of debt	220	1	2671
Grand Total	2,714	399	12,862

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For the timeframe 3 July 2023 to 30 June 2025:

Based on available records, the total number of waiver of debt and act of grace claims received by Finance where the 'Family and Domestic Violence/Coercive Control' tag has been applied to a matter, and the total number of waiver of debt and act of grace claims received by Finance where the 'Family and Domestic Violence/Coercive Control' tag has been applied to a matter that has been approved either in full or in part, by Financial Year:

Financial year & claim type	Approved	Grand Total
2023-24		10
Act of grace		3
Waiver of debt		7
2024-25	1	57
Act of grace	1	18
Waiver of debt		39
Grand Total	1	67

Note: the 'Family and Domestic Violence/Coercive control' filter will be applied to a matter even if the family and domestic violence or coercive control is merely referenced by an applicant and is not relied on as a special circumstance for a discretionary payment.



Entity Checklist – Discretionary Financial Assistance

- Refer to [Resource Management Guide 401 – Requests for Discretionary Financial Assistance under the Public, Governance, Performance and Accountability Act 2013 \(RMG 401\)](#) for more detailed information.
- Entities are expected to provide submissions to Finance within 30 days of notification of a request.
- Please contact Finance via sfc@finance.gov.au if an extension is required.

Step	Action	Entity	Timeframe	✓
1.	Receive notification of an application for discretionary financial assistance from Finance		As soon as possible	
2.	Determine if further stakeholder notifications are required and notify relevant stakeholders (Minister, Secretary, Media Team, Ombudsman, other entities)		As soon as possible	
3.	Review applicant's file		Within 14 days	
4.	Assess the applicant's submissions in detail and draft submissions to Finance (see RMG 401), seek any additional information from Finance		Within 14 days	
5.	Provide finalised submissions, cleared by the relevant delegate, to: (a) Finance via sfc@finance.gov.au ; and (b) applicant for procedural fairness. Give applicant 4 weeks to provide further response to Finance.* <i>*Finance has prepared a sample cover letter to assist entities with this step (available on Govdex or by contacting sfc@finance.gov.au).</i>		Within 30 days	
6.	Consider new information if applicant responds. If applicant provides entity with new information, respond to Finance.		Within 30 days	
7.	Notify Finance via sfc@finance.gov.au if an extension is required		As soon as possible	
8.	Upon receipt of Finance's decision on the application: (a) if approved , file and pay applicant or waive debt. (b) if declined , file.		Within 30 days	
9.	Debrief and consider the effectiveness of legislation/policy		Within 45 days	
10.	Implement proactive changes to legislation/policy to prevent similar applications arising in future (if necessary and appropriate)		As required	

From: SFC
Subject: NAME - Request for Agency Submission [SEC=OFFICIAL]
Attachments: Agency Submissions template.docx

OFFICIAL

Dear Colleagues

The Department of Finance (Finance) received **an act of grace/a waiver of debt request** from [requestor] on [date]. A copy of that request is attached for your information.

The **act of grace/waiver of debt** mechanism is intended to be an instrument of last resort. **If you are aware of any alternate avenues of redress available to the requestor, please discuss this with Finance, as we may be able to finalise the matter based on this information without needing a full submission.**

Finance is seeking advice from another agency/not seeking submissions from other agencies.

Alternate remedies may include:

- Consideration under other schemes (CDDA, etc.)
- Internal reviews.
- Review by the ART, Commonwealth Ombudsman, or other review body.
- Judicial Review.

Alternatively, should no alternate remedies be available, Finance wishes to provide an opportunity for your agency to make submissions on this request. Your submission should **address the requestor's specific claims** and include the following information:

- Background/history of the matter.
- Confirmed quantum.
- Whether the request is supported; and
- Any other relevant information (including possibility of a repayment arrangement, etc.).

Action Required

1. Please provide Finance with advice of any alternative remedies by **[1 week from date of email]**, or your submission by **COB [4 weeks from date of email]**. If you require additional time to prepare your submission, please contact Finance to discuss an extension. A template form is attached for your assistance.
2. To ensure natural justice, Finance will need to provide a copy of the submission to the requestor, if it includes information adverse to the requestors claim. **All contact information included in the submission will be provided to the requestor. As such, please be mindful of the contact details included in the submission or alternatively do not include a contact.**
3. You may also wish to consider whether there is a need to liaise with executive staff, your media team, or other relevant stakeholders in anticipation of any sensitivities.
4. Please advise if there is any relevant information which cannot be distributed beyond Finance. This information can be flagged as "not to be shared beyond Finance" within your submission or communicated to Finance separately.

Further Guidance

Finance has published material to assist agencies with their submissions, including detailed information in [Resource Management Guide 401](#) (RMG401) regarding requests for discretionary financial assistance. A PDF version of RMG401 can be provided on request.

For further information or support, please contact Finance on sfc@finance.gov.au or at:

- s22 – A/g Assistant Director –s22 [REDACTED] @finance.gov.au
- s22 Director –s22 [REDACTED] @finance.gov.au

We ask that these contacts (other than our 1800 number and sfc@finance.gov.au) not be provided to requestors or their representatives under any circumstances.

Kind regards



Discretionary Payments
Comcover and Discretionary Payment Claims Branch
Department of Finance
T: 1800 227 572
E: sfc@finance.gov.au
A: One Canberra Avenue, Forrest ACT 2603

Sensitive: Personal

Insert entity letterhead

Please note this requirement and then delete: Discretionary Financial Assistance is generally only available as a mechanism of last resort. A full submission may not be required if there are alternative avenues available to the requestor. If you consider the matter can be resolved outside of the Discretionary Financial Assistance mechanisms, please contact Finance to discuss. Alternatively, please provide completed submission to sfc@finance.gov.au.

Please also note that the submission will likely be shared with the requestor as part of a procedural fairness loop. Please advise if there is any relevant information which cannot be distributed beyond Finance. This information can be flagged as "not to be shared beyond Finance" within your submission or communicated to Finance separately.

Reference: [Insert file reference](#)
Contact: [Insert contact](#)
e-mail: [Insert email](#)

Discretionary Payments Team
Risk & Claims Branch
Department of Finance

By email: sfc@finance.gov.au

REQUEST FOR INFORMATION – REQUEST FOR DISCRETIONARY FINANCIAL ASSISTANCE – INSERT NAME OF REQUESTOR

We refer to your email, dated insert date, in which you notified insert entity name, of a request for discretionary financial assistance made by insert requestor name (the Requestor) under section 63 and/or 65 Public, Governance, Performance and Accountability Act 2013 (PGPA Act).

You have requested that we provide the Department of Finance (Finance) with further information to assist with your determination of the request.

REQUEST FOR DISCRETIONARY FINANCIAL ASSISTANCE

The request broadly relates to insert brief description of the request.

Our detailed comments in relation to the request are below.

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BACKGROUND

History of the matter

- Please insert relevant facts and background, including:
 - § Historical information relating to the requestor's case.
 - § Details of the actions of the entity, if any, that directly contributed to the requestor's situation. [Please note: if you identify an error in the entity's handling of the case, you should contact SFC@finance.gov.au for advice on whether the case should be considered under the CDDA scheme. The CDDA scheme can only be used in act of grace claims – refer to [Resource Management Guide 409 – Scheme for Compensation for Detriment Caused by Defective Administration](#).]
 - § Any prior consideration of the case under the CDDA scheme.
 - § Any relevant decisions of tribunals or other review bodies.
 - § Any other claims or complaints from the requestor arising from the same or similar circumstances.
 - § If the request relates to waiver:
 - § The amount owing to the Commonwealth, including why it was incurred, how it is comprised and when it is due for payment.
 - § Any information held by the entity on the assets, income, future earning capacity, other debts, health and family circumstances of the family unit or household to which the debtor belongs.
 - § Whether the entity has considered other debt management strategies. [Please note: the entity must consider whether there are other debt management options, which would allow the Commonwealth to maintain the right to recover the debt at some later date and whether they are more appropriate in the circumstances.]

Relevant legislation and policy

- Please provide the relevant sections of legislation and policy references and details of how the requestor's circumstances relate to that legislation/policy, including:
 - § Whether the outcome in the requestor's circumstances is "as intended" by the legislation and/or policy, including with reference to supporting information.
 - § Whether any other entity may be able to provide additional relevant advice to Finance on the policy or legislation related to the matter.
 - § If there is a perceived anomaly in the law or policy. If so, provide an estimate of the likely number of people affected and the likely number of requests.

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DISCUSSION

Act of grace considerations

Section 65 of the PGPA Act provides the Minister for Finance and his delegates with a discretion to authorise, in writing, one or more payments to be made to a person if the Minister for Finance and his delegates consider it appropriate to do so because of "special circumstances".

Resource Management Guide 401 (RMG 401) provides guidance about various factors that officials may consider when dealing with requests for discretionary financial assistance under the PGPA Act.

Please provide submissions/advice to Finance, having regard to paragraphs 7 – 24 of RMG 401, including:

- Whether or not the entity supports the act of grace request and detailed reasons why. [Please note: Finance may seek clarification from the entity as the policy owner, recognising the entity's expertise.]
- Provide any other information that may be relevant to assist the Finance Minister's delegate to determine whether "special circumstances" exist. [Please note: such circumstances are not limited to those outlined in RMG 401 and that each case should be considered on its individual merits.]

OR

Waiver of debt considerations

Section 63 of the PGPA Act provides the Minister for Finance and his delegates with a discretion to waive an amount of debt owing to the Commonwealth.

Resource Management Guide 401 (RMG 401) provides guidance about various factors that officials may consider when dealing with requests for discretionary financial assistance under the PGPA Act.

Please provide submissions/advice to Finance, having regard to paragraphs 32 – 45 of RMG 401, including:

- Whether or not the entity supports the waiver of debt request and detailed reasons why. [Please note: Finance may seek clarification from the entity as the policy owner, recognising the entity's expertise.]
- Whether the debts are unlikely to be waived, including because:
 - § Debts have been established by a judicial decision of the court.
 - § Debts owed to the Commonwealth that will be paid by third parties.
 - § Debts that have arisen through deliberate fraudulent or other illegal actions.
 - § Requests submitted by companies on the grounds of financial hardship.
 - § Where an amount owing to the Commonwealth is not certain or ascertainable.
- Whether other debt management options exist and whether they would be more appropriate than a waiver of debt in the circumstances. [Please note: the entity must consider whether there are other debt management options, which would allow the

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Commonwealth to maintain the right to recover the debt at some later date and whether they are more appropriate in the circumstances.]

WAY FORWARD

- Please provide a recommendation to Finance. Your recommendation should clearly state if the entity supports or does not support granting the request for discretionary financial assistance. If no recommendation is provided, Finance may return the submission to the entity, requesting clarification of entity views.
- In your recommendation, please indicate if there are any other options, which may be appropriate in the circumstances (such as a payment plan or write-off).
- If the entity supports payment of an amount, clearly state the total amount and any breakdown [Please note that table format is preferred for complex breakdowns].

FURTHER ASSISTANCE

I trust that this information is of assistance.

Please let **insert entity name, contact name and contact details** know if you wish to discuss or if we can assist further.

Kind regards

[Insert clearance officer's signature block and date cleared]

ATTACHMENTS

- List any attachments to the submission or provide a schedule of documents.
- Remove this heading if there are no attachments.