



NEWLY ARRIVED RESIDENTS: WAITING PERIODS

This factsheet explains the waiting periods that newly arrived residents may be required to serve before they can receive a social security payment.

If you have recently become a permanent resident you may be subject to a Newly Arrived Residents Waiting Period (NARWP). There are different waiting periods for different payments.

A waiting period may apply to you depending on:

- the date you entered Australia;
- the date you were granted a permanent visa;
- the type visa you are on.

NEWLY ARRIVED RESIDENTS WAITING PERIOD

The NARWP applies to many payments, including:

- Newstart Allowance
- Sickness Allowance
- Youth Allowance
- Carer Payment
- Carer Allowance
- Austudy
- Partner Allowance
- Mobility Allowance
- Pensioner Education Supplement
- Health Care Card
- Commonwealth Seniors Health Care Card

If you arrived in Australia or were granted permanent residence (whichever happened later) **before 4 March 1997** you will not have to serve a waiting period.

NARWP EXEMPTIONS

You may be **exempt** from the NARWP if you:

- have arrived in Australia as a refugee or under humanitarian programs;
- are a family member of a refugee or a humanitarian migrant (includes someone who is

your partner, dependent child or someone who should be treated as a family member);

- are an Australian citizen; or
- have suffered a substantial change in circumstances for reasons beyond your control (**Note: this is for payment of Special Benefit only**).

Changes to the NARWP exemption rules

The NARWP was extended from 104 to 208 weeks for various working age payments and concession cards for people who became permanent residents after 1 January 2019. These payments include:

- Newstart Allowance
- Sickness Allowance
- Youth Allowance

If you became a permanent resident before 1 January 2019 your NARWP is still 104 weeks.

QUALIFYING RESIDENCE PERIOD

A qualifying residence period (QRP) is the period of time someone will have had to live in Australia as a permanent resident before they can qualify for certain payments. The following payments have a qualifying residence period:

- Disability Support Pension;
- Age Pension;
- Widow Allowance;
- Parenting Payment; and
- Health Care Card.

Disability Support Pension

The qualifying residence period for the **Disability Support Pension** is **10 years** unless:

- your disability started to affect your capacity to work after you became an Australian resident; or
- you were born outside Australia as a dependent child of an Australian resident and you became an Australian resident as that dependent child and your capacity to work was impaired during that period; or
- you qualify under an International Agreement.

Age Pension

The qualifying residence period for the **Age Pension** is **10 years** unless:

- you received Widow B Pension, Widow Allowance, Mature Age Allowance or Partner Allowance before you were Age Pension age; OR

- you were widowed in Australia when both you and your partner were both living in Australia permanently and you have lived in Australia for two years immediately before you claim; OR
- reached Age Pension age before 20 March 1997 and received Widow B Pension, Widow Allowance or Partner Allowance immediately before that date; or
- qualify under an International Agreement.

Parenting Payment

The qualifying residence period for **Parenting Payment** is **2 years** unless you have become the sole principal carer of a child since becoming an Australian resident.

EXEMPTIONS FROM THE QRP

You may be **exempt** from the qualifying residence period if at the time of your claim if:

- you are a refugee or a former refugee; OR
- you were a family member of someone at the time they became a refugee.

SPECIAL BENEFIT

Special benefit can only be paid if you are not eligible for any other Social Security payment.

To qualify you will also have to show:

- you are in **severe financial hardship** (have under \$5000); and
- you are not able to obtain or earn money to support yourself and your dependents; and
- you are not entitled to any other Centrelink payment; and
- you hold visa subclass for which Special Benefit is available; and
- you have had a **substantial change in circumstances that are beyond your control after** you arrived in Australia.

Substantial change of circumstance beyond your control

The change in circumstances must have occurred **after you arrived in Australia**. Examples of what may be considered a substantial change of circumstances beyond your control include:

- your sponsor or partner dies and you have no other means of support; or
- you are the victim of domestic violence and have no other means of support; or

- you have a baby with, or your child develops, a severe medical condition or disability which incurs significant extra costs; or
- After commencing work, you lose your job through no fault of your own; or
- your sponsor or partner becomes a prisoner or is confined to a hospital, psychiatric institution or nursing home.

There are many other circumstances which may be considered by a Centrelink decision maker or the Administrative Appeals Tribunal to be a “substantial change in circumstances beyond your control”. You can call us for advice.

Claiming Special Benefit

If you claimed a payment, such as Newstart Allowance or Carer Payment, and Centrelink has rejected your claim because you are subject to a NARWP, you should think about claiming Special Benefit.

If Special Benefit is granted you should receive arrears in payment to the date you claimed the original payment. If you do not receive arrears to this date contact us for legal advice.

APPEAL RIGHTS

If your claim for these payments is rejected or cancelled you have the right to appeal that decision within Centrelink to an **Authorised Review Officer**.

You will need to do this **within 13 weeks** from the previous decision to ensure full arrears are payable should your appeal be successful.

After you have received a decision from the Authorised Review Officer you can further appeal to the **first tier of the Administrative Appeals Tribunal**.

You will need to do this **within 13 weeks** from the Authorised Review Officer’s decision to ensure full arrears are payable should your appeal be successful.

THIS FACTSHEET CONTAINS INFORMATION ONLY. IT MUST NOT BE RELIED ON AS LEGAL ADVICE. YOU SHOULD SEEK LEGAL ADVICE ABOUT YOUR PARTICULAR MATTER FROM THE WELFARE RIGHTS CENTRE.