



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.

A waiting period may apply to you depending on:

- the date you entered Australia;
- the date you were granted a permanent visa;
- whether you are a New Zealand citizen.

If you have not lived in Australia as a permanent resident for **a total of 104 weeks** then you may be subject to a Newly Arrived Residents Waiting Period.

NEWLY ARRIVED RESIDENTS WAITING PERIOD

The Newly Arrived Residents Waiting Period (NARWP) applies to the following payments:

- Newstart Allowance
- Sickness Allowance
- Youth Allowance
- Special Benefit
- Carer Payment
- 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** then you will not have to serve the 104 week 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;
- are an Australian citizen; or

- have suffered a substantial change in circumstances for reasons beyond your control (**note: this is for Special Benefit only**).

Family member exemptions

In the exemptions listed above, reference to 'family member' only includes someone who is your partner, dependent child or someone who the decision maker determines should be treated as a family member.

The Australian citizen or resident family member exemptions from the NARWP for **Special Benefit** **do not** apply to the holders of the temporary visas **309, 820, 310 and 826**.

Further changes to the exemption rules

From **1 January 2017**, those holding a permanent spouse or interdependency visa (**100, 110, 801, 814**) will **no longer be exempt** from the Newly Arrived Residents Waiting Period.

QUALIFYING RESIDENCE PERIOD

A qualifying residence period 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; and
- Parenting Payment.

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
- 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.

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
- 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
- qualify under an International Agreement.

Widow Allowance

The qualifying residence period for **Widow Allowance** is **10 years** unless you:

- were widowed, divorced or separated from your partner while you were both Australian residents, OR
- entered Australia before 1 April 1996 and were an Australian resident continuously for 26 weeks before lodging a claim, OR
- entered Australia before 1 April 1996, lodged your claim after 4 March 1997 and have been an Australian Resident for at least 104 weeks; OR
- entered Australia after 1 February 2000 and have been an Australian resident for at least 104 weeks.

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 QUALIFYING RESIDENCE PERIOD

You may be **exempt** from the qualifying residence period if you:

- are a refugee or former refugee

From **1 January 2017**, family members of a refugee or former refugee **no longer have a qualified residency exemption**. However you may be exempt from the relevant waiting period if:

- before you made a claim for social security, you were a family member of someone at the time they became a refugee; OR
- at the time of your claim, you are a family member of someone at time they became a refugee or if they have died, you were a family member immediately before their death.

Holders of the following visa subclasses: 100 (Spouse or Partner), 110, 801 (Spouse or Partner), 814 who apply for a social security payment **after 1 January 2017** no longer have a qualifying residency exemption.

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 are an Australian citizen, resident or hold visa subclass **060, 070, 309, 449, 785, 786, 790, 820 or a CJSV (Criminal Justice Stay Visa)**.

If you are a holder of a **309 or 820** visa, you will generally have to serve a **2 year Newly Arrived Resident Waiting Period** before you can be paid Special Benefit UNLESS you can prove you:

- are in financial hardship, AND
- have a **substantial change in circumstances that are beyond your control** AFTER your arrival in Australia

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. You can call us for advice after you have received this decision from Centrelink.

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.