

Centrelink recognises same-sex relationships from 1 July 2009



In 2008, the Australian Government passed wide-ranging reforms that recognise all couples, regardless of sexual orientation or gender of a partner.

From 1 July 2009 changes to social security legislation will mean that customers who are in a same-sex de facto relationship will be recognised as partnered for Centrelink purposes. All customers who are assessed as being a member of a couple will have their rate of payment calculated in the same way.

Will I be affected?

From 1 July 2009, if you receive a Centrelink payment or service and are in a de facto same-sex relationship your payment may be affected.

If you are a new customer after 1 July 2009 and in a same-sex de facto relationship you will be recognised as partnered when you apply for a payment or service.

How could my payment change?

Your payment may be affected depending on your circumstances and the type of payment you receive.

Most payments are assessed based on the income and assets of both you and your partner. You may receive a different rate of payment, or you may stop receiving your payment once your partner's income and assets are included in assessing your payment. For some payments the partnered rate is less than the single rate of payment.

For example:

Michael and Sandro have been living in a same-sex relationship for three years. Sandro is employed and earns \$60 000 a year (approximately \$2300 a fortnight). Michael is on Disability Support Pension. He receives the maximum rate of payment for a single customer and has no other income. Michael declares his relationship with Sandro to Centrelink before July 2009 and provides information about Sandro, including his income and asset details. Michael's Disability Support Pension is reassessed from 1 July 2009, taking into account Sandro's income and assets, and calculating Michael's payment at the partnered rate. For Michael to continue receiving the full rate of Disability Support Pension, the maximum amount of combined income Sandro and Michael can earn is \$240 a fortnight. As their combined income is over this amount Michael will receive a reduced rate of Disability Support Pension from 1 July 2009. Michael will keep his Pensioner Concession Card. Sandro will be included on Michael's Pensioner Concession Card as Michael's partner, and may be able to access concessions because of this.

What else should I know?

From 1 July same-sex couples may have access to the following:

- partner concession card benefits
- bereavement benefits if a partner dies
- exemption of the family home from the asset test when one partner enters nursing home care and the other partner continues to reside there
- recognition as independent for Youth Allowance if you are in a same-sex relationship for over 12 months.

What do I have to do?

If you are in a same-sex relationship and receive a Centrelink payment or service you are required to tell us from 1 July 2009. This will ensure that you continue to receive the correct payment. From 1 July 2009, if you are overpaid because you have not told us that you are in a same-sex relationship, you may have to pay back some or all of your payment.

From 30 March to 30 June 2009 you will be able to tell us that you are in a same-sex relationship. You may tell us in this period as it will reduce your risk of being overpaid. These changes will only affect payments from 1 July 2009.

How to contact us

If you want to talk to someone about how these changes may affect you, or declare your relationship you can call Centrelink's enquiry line on **13 6280**.

Information about declaring your relationship and the required forms will be available from **www.centrelink.gov.au**

As your payments may change, it is a good idea to start planning your financial affairs early. You can talk, free of charge, to a Financial Information Service officer about options with your savings, investments and related arrangements by calling **13 2300**.

Centrelink also have social workers available to provide counselling and support, provide information about referral to community support services and assist with claims for payment. To speak with a Centrelink Social Worker call **13 1794**.

What happens to the information I provide?

We understand that it can be intimidating to disclose your relationship status, particularly if you are concerned about identifying your sexual orientation or being discriminated against. We take customer privacy very seriously. Our staff have been trained to ensure that information about your relationship is protected from unauthorised access or misuse.

You have a right to have the personal information that we collect about you kept private. We are bound by legislation that contains strict confidentiality provisions that limit who can look at information about you and when and to whom it can be given out. We are also bound by the *Privacy Act 1988*.

Centrelink may lawfully request information from relevant third parties, depending on the circumstances, in order to determine correct entitlements to payments and services administered by Centrelink. Centrelink may also give relevant personal information to authorised agencies where the disclosure is required or authorised under law. Centrelink may disclose limited information about you to other parties when your circumstances affect their payments and/or services. For more information see the *Your Right to Privacy* factsheet. This is available by visiting **www.centrelink.gov.au** or by calling **13 6280** or asking at a Centrelink Customer Service Centre.

If you experience any discrimination or inappropriate treatment from one of our staff, please tell us by calling the Customer Relations Line on **Freecall™ 1800 050 004**. We will take your complaint seriously and ensure that all our customers are treated with dignity and respect

Reviews and appeals

If you are not happy with a decision made by Centrelink, you have the right to question it. The review and appeal process is explained in the *Reviews and Appeals* factsheet. This is available by visiting **www.centrelink.gov.au** or by calling **13 6280** or asking at a Centrelink Customer Service Centre.

What about the other government changes?

The commitment to removing the discrimination that currently applies to members of same-sex couples and their children will also apply to other areas of the Australian Government, such as superannuation, taxation and Medicare. For an overview of the same-sex reforms visit **www.ag.gov.au/samesexreform**

For more information

Contact us for more information.

Visit **www.centrelink.gov.au**

Call **13 6280**

Ask at a Centrelink Customer Service Centre

Disclaimer

The information contained in this publication is intended only as a guide. The information is accurate as at December 2008. If you use this publication after that date, please check with Centrelink that the details are current.