# Newly Arrived Residents Waiting Period: back in place from 1 April 2021

Last updated 13 April 2021





## This factsheet provides information only about the newly arrived residents waiting period and changes from 1 April 2021.



To receive Centrelink income support payments, you must generally have lived in Australia for a certain number of years - as a permanent resident, or as the holder of a specified class of long-stay temporary visa. Some people are exempt from these residential waiting periods, including refugees.

The residential waiting period for non-pension Centrelink payments - such as JobSeeker Payment, Youth Allowance, and Parenting Payment - is called the "newly arrived residents waiting period". In this factsheet we call this the "NARWP".

The NARWP does not apply to pensions such as Age Pension and Disability Support Pension. These pensions have residential waiting periods but they operate differently.

#### Who may be subject to a NARWP?

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A NARWP may apply to people who hold a permanent visa or a specified subclass of temporary visa (such as a partner visa).

For more information about Centrelink payments for people with temporary visas see <u>https://www.servicesaustralia.gov.au/individuals/topics/residence-</u> <u>descriptions/30391#temporaryprotection</u>

#### What about New Zealanders?



New Zealand citizens living in Australia are subject to different rules – see here: <u>https://www.servicesaustralia.gov.au/individuals/topics/new-zealand-citizens-claiming-payments-australia/30721</u>

### Who is exempt from the NARWP?



You may be exempt from a NARWP if you are:

- an Australian citizen
- a refugee or former refugee
- a holder of a specified visa subclass (for certain payments)
- a family member of a refugee or humanitarian migrant.

Read more about NARWP exemptions here:

https://www.servicesaustralia.gov.au/individuals/topics/exemptions-newly-arrivedresidents-waiting-period/46481

#### What payments are subject to the NARWP? How long is the NARWP?



A 4 year NARWP can apply to:

- <u>Austudy</u>
- JobSeeker Payment
- <u>Parenting Payment</u> single and partnered
- <u>Special Benefit</u>(may be exempt if in hardship)
- Youth Allowance.



A 2 year NARWP can apply to:

- Carer Payment
- Dad and Partner Pay
- Parental Leave Pay
- <u>Parenting Payment</u> single and partnered (if you are an Australian citizen and have started living in Australia for the first time).

Read more here: <u>https://www.servicesaustralia.gov.au/individuals/topics/newly-arrived-residents-waiting-period/30726#a1</u>

#### Suspension of the NARWP during COVID

The NARWP was temporarily suspended from April 2020 until 31 March 2021 - as a special COVID measure.

This meant that between April 2020 and the end of March 2021, people who would normally not yet be entitled to payment due to a NARWP were able to be granted:

- Austudy
- JobSeeker Payment
- Parenting Payment
- Special Benefit
- Youth Allowance.

### NARWP back in place from 1 April 2021

The suspension of the NARWP ended on 31 March 2021.

This means that from 1 April 2021:

- New claimants for Centrelink payments will be subject to a NARWP for relevant payments unless they are exempt
- People granted payment during the suspension of the NARWP under the special COVID arrangement may have their payment cancelled.

Payment will be cancelled if:

- > The person hasn't fully served their newly arrived residents waiting period
- you don't have an exemption.

The time the person has been living in Australia as a resident or eligible visa holder counts towards serving the NARWP, including any time you received payment during the suspension of your NARWP due to COVID.

#### What can I do if my payment is cancelled?



**Claim Special Benefit**: If your payment was cancelled from 1 April because of the reintroduction of the NARWP, you may be entitled to Special benefit. Claim Special Benefit ASAP if your payment has been cancelled and you do not have enough income to support yourself and any dependants.

Special Benefit is an income support payment that can be paid to people who are in financial hardship, do not have adequate means of support, and are not entitled to other Centrelink payments.



**NARWP waiver**: Special Benefit is subject to a NARWP but unlike for other payments, the waiting period can be waived if you are in hardship and you have suffered a substantial change of circumstances. These waiver rules are permanent – not just part of the COVID measure.

**Apply for waiver**: When you apply for Special Benefit, you should ask for the waiting period to be waived - explain your circumstances in full.

> If you need support, ask to see the Centrelink **social worker**.

For more information see:

https://www.servicesaustralia.gov.au/individuals/topics/exemptions-newly-arrived-residents-waiting-period/46481

### What if I was getting Special Benefit and it was cancelled from 1 April?



**Reclaim Special Benefit**: People granted Special Benefit during the COVID NARWP suspension, may have their payment cancelled. This is because the NARWP generally applies to Special Benefit claimants unless the waiting period is waived.

**Apply for waiver**: When you reapply for Special Benefit, ask for the waiting period to be waived – explain your circumstances in full.

> If you need support, ask to see the Centrelink **social worker**.

#### For more information see:

https://www.servicesaustralia.gov.au/individuals/topics/exemptions-newly-arrivedresidents-waiting-period/46481

#### Where can I get advice and assistance?



If you are experiencing problems applying for Special Benefit, you can contact your nearest specialist community legal centre for help. See <u>here</u>.

If your Special Benefit claim is rejected you can appeal. See our Appeals Factsheet <u>here</u>.

This factsheet does not constitute legal advice.

Please contact any of our member centres if you wish to obtain free legal advice. Find your closest member centre at <u>www.ejaustralia.org.au</u>