

# Talking Notes

## Centrelink recognises same-sex relationships from 1 July 2009



**This information is for Community Groups—it is not intended for distribution to customers. Customers should be provided with the *Centrelink recognises same-sex relationships from 1 July 2009* factsheet.**

### Background

- Following the Australian Human Rights Commission report, *Same-Sex: Same Entitlements*, the Australian Government has introduced reforms to remove discrimination to enable same-sex couples and the children of same-sex relationships to be recognised by Commonwealth law.
- From 1 July 2009 changes to social security and family assistance legislation will mean that Centrelink and the Family Assistance Office will recognise all couples, regardless of sexual orientation or gender of a partner. The reforms also recognise children living in same-sex families.

### Key issues

- From 1 July 2009 customers in a same-sex de facto relationship will be recognised as being a member of a couple for Centrelink and Family Assistance Office purposes, and will therefore be assessed in the same way as other couples.
- From 1 July 2009 customers in a same-sex de facto relationship must tell Centrelink that they are in a relationship, as this may affect their payment.
- Customers should be encouraged to contact Centrelink on **13 6280** for more information about how the changes may affect their individual situation and for other assistance.

### Other government same-sex law reform changes:

The Australian Government's reforms will also affect other Government laws and programs, including:

- Tax
- Superannuation
- Pharmaceutical Benefits Scheme (PBS) Safety Net and Medicare Safety Net
- Aged Care
- Child Support
- Veterans' Affairs
- Immigration
- Citizenship

For an overview of the same-sex reforms, visit [www.ag.gov.au/samesexreform](http://www.ag.gov.au/samesexreform)

### Questions and Answers

#### When do the changes take effect?

- Changes to recognise same-sex de facto relationships for Centrelink purposes take effect from 1 July 2009.

#### Who will be affected by these changes?

- From 1 July 2009, customers who receive a Centrelink payment or service and are in a same-sex de facto relationship, may have their payment affected.
- A same-sex de facto relationship is where two people are living together and are members of a couple. Establishing whether two people are members of a couple involves consideration of financial and social aspects of the relationship, nature of the household, presence or absence of a sexual relationship, and nature of the commitment. Evidence relating to these factors is considered, although not all factors need to be present for a decision to be made.

## What do customers have to do?

- From 1 July 2009 customers must advise Centrelink if they are in a same-sex de facto relationship.
- Customers can contact Centrelink on **13 6280** or contact a Customer Service Centre to advise that they are in a same-sex de facto relationship.
- If customers are unsure about their relationship status for Centrelink or Family Assistance Office purposes they should should contact Centrelink.

## How will the changes affect customers?

- Most payments are assessed based on the income and assets of both the customer and their partner. Customers may receive a different rate of payment, or may stop receiving payment once their partner's income and assets are included in assessing their payment. For most payments, the partnered rate is less than the single rate of payment.
- Some customers may be able to access payments and services as a member of a couple that they were not previously eligible for, such as, having their partner included on a concession card or having access to bereavement payments.
- From 1 July 2009, customers who are overpaid because they have not told Centrelink that they are in a same-sex de facto relationship may have to pay back some or all of their overpayment.

## What impact will the changes have on customer's concession cards?

- Customers who are no longer eligible for a pension or income support payment may lose entitlement to a concession card.
- Customers who do not qualify for an income support payment may qualify for a Low Income Health Care Card or Commonwealth Seniors Health Card (if of age pension age)
- More information about income limits for Centrelink payments and concession cards is included in the Centrelink Guide to Payments booklet, or is available from **www.centrelink.gov.au**
- Recognition of same-sex de facto relationships across other legislation will mean that customers and members of the public may benefit from registering for Medicare Safety Net and Pharmaceutical Benefits Scheme (PBS) Safety Net as a family from 1 January 2009.

- For more information about the Safety Net changes, or to register a family visit **www.medicareaustralia.gov.au**, or call:
  - Medicare Safety Net **13 2011**
  - Pharmaceutical Benefits Scheme (PBS) Safety Net **1800 020 613**

## Customer Privacy

- Customers should be assured that Centrelink is bound by legislation that contains strict confidentiality provisions that limit who can look at information about customers and when and to whom it can be given out. Centrelink is bound by the *Privacy Act 1988*. For more information see the *Your Right to Privacy* factsheet.
- Centrelink is committed to ensuring all customers, regardless of sexual orientation or gender identity, are treated with dignity and respect. Complaints about inappropriate or discriminatory treatment by Centrelink staff will be taken very seriously and can be reported by calling Centrelink's Customer Relations Line on **Freecall™ 1800 050 004**.

## Centrelink Services

- Customers can talk, free of charge, to a **Financial Information Service** officer about options with savings, investments and related arrangements by calling **13 2300**.
- Centrelink also have **social workers** available to provide counselling, support and referral services as needed. To speak with a Centrelink Social Worker customers can call **13 1794**.

Further information is available from the following sources:

- Visit **www.centrelink.gov.au**
- Centrelink's enquiry line—**13 6280**
- Ask at a Centrelink Customer Service Centre
- For an overview of other Government same-sex reform changes visit **www.ag.gov.au/samesexreform**