

# Your Rights at Retirement

A guide to making decisions and  
navigating your entitlements in later life



Australian  
Human Rights  
Commission

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**ISBN 978-1-921449-44-4**

### **Report Preparation**

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### **Thanks**

The Australian Human Rights Commission thanks the many government departments, statutory authorities, NGOs and individuals who assisted with the development of this publication

This publication can be found in electronic format on the Australian Human Rights Commission's website at: **www.humanrights.gov.au/publications/your-rights-retirement**

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# Foreword



**The Hon Susan Ryan AO**

Age Discrimination  
Commissioner

Australian Human Rights  
Commission

The idea for this publication came about when I realised how complex it is to navigate the services, supports and the decisions that are part of retirement.

Retirement is definitely a time for careful planning and for being well informed about what is available.

For many people it is hard to know where to start and what to plan. There is income support, health and aged care, senior's cards, financial planning, superannuation, housing and rent assistance, to name a few. And to find out about each different topic you have to contact a different government department or other service.

*Your Rights at Retirement* gives you plenty of information in one booklet. It aims to guide you and prompt you to think about the decisions you should be making or planning for the future. It encourages you to plan your retirement finances so there are no unwanted surprises. It gives you information about developing internet skills and tips about how to avoid scams.

I hope this publication becomes a one-stop-shop reference guide, where you can find the phone numbers and contact details of the many and various services out there.

It is not an authority on any one topic. Rather it is a beginning point. I encourage you to browse the contents and even read it from cover to cover. I guarantee you will learn about new services, processes and procedures.

Australia is lucky to have so many services and supports for older people. These help us to realise our human right to respect and dignity as we age.

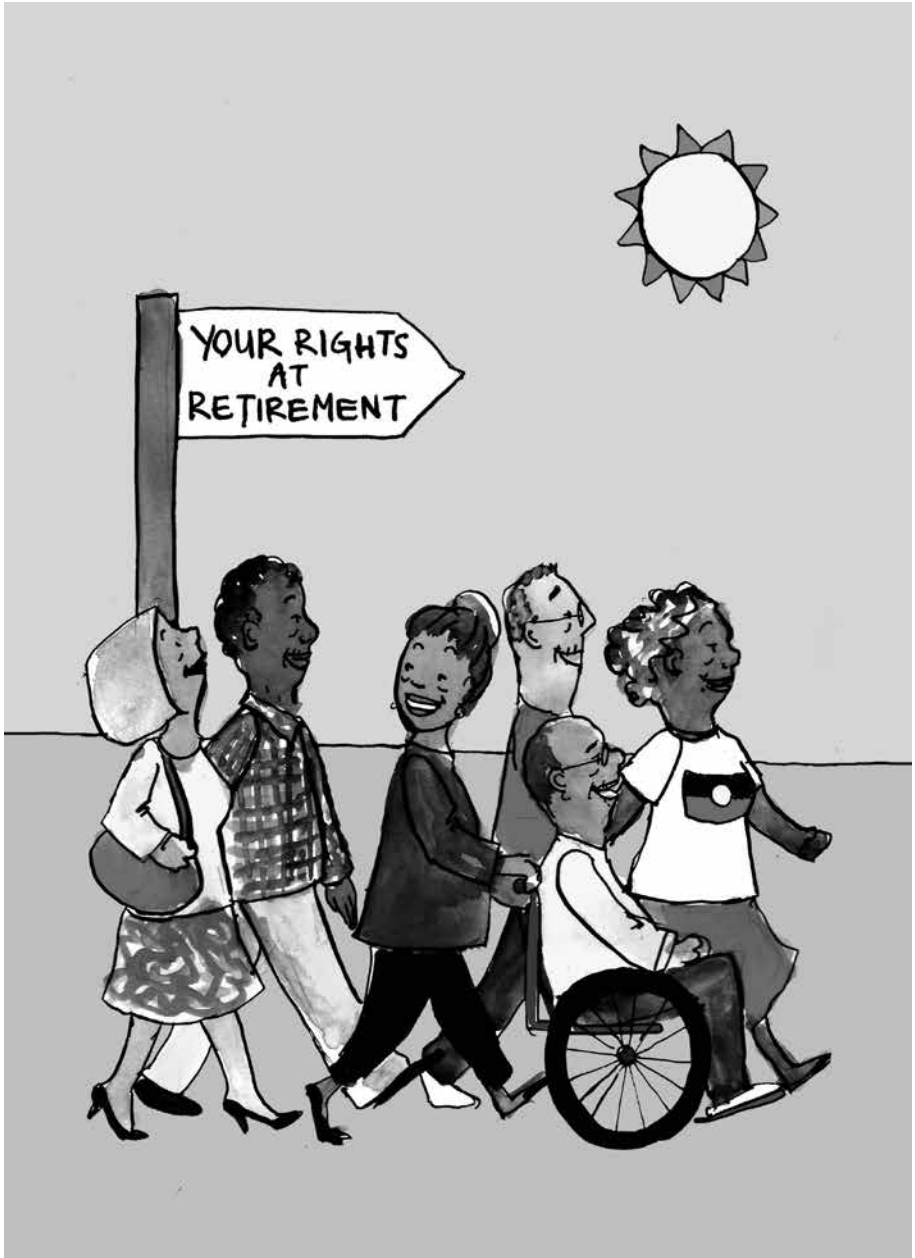
I hope *Your Rights at Retirement* assists you to find the services that meet your needs so that you can enjoy retirement and make the most of this phase of life.

A handwritten signature in black ink that reads "Susan Ryan". The signature is written in a cursive, flowing style.

**The Hon Susan Ryan AO**

Australia's Age Discrimination  
Commissioner

July 2013



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# Introduction

Retirement can come upon us suddenly or it can be a gradual process that is carefully planned and anticipated over the years. The choices and experiences of retirement are different for every individual.

Whatever your situation, it is important that you know the options that are available to you and the services that can assist you. It is also important that you think about the decisions you may need to make in retirement.

This booklet helps you to navigate the different phases of ageing. It covers topics from setting up a retirement budget through to considering options for aged care.

The booklet can be used as a reference guide when you need to check a topic, or it can be read from cover to cover to get a snapshot of the services and supports on offer.

# Chapter 1: Introduction

Research and planning will assist you to make the most of the entitlements and responsibilities that come with retirement.

Each topic in this booklet gives you a brief description of an issue and guides you to more information or to complaint processes. Phone numbers and web addresses are provided so that you can pursue more information when necessary.

Note that some phone numbers have long wait times and all contact details were current at the time of publication.

# Chapter headings: Your Rights at Retirement

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Looks like SOMEONE HASN'T  
HEARD THAT GREY IS THE NEW  
BLACK..

**CHIC for chicks**





## Chapter 2:

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# Your right to be free of discrimination

As you get older, people may try to treat you differently because of your age. You have a right to be to be treated equally and without discrimination, regardless of your age. This chapter describes age discrimination and provides information about seeking advice and remedies.

## 2.1 Age discrimination

Age discrimination is when a person is treated less favourably than another person in a similar situation because of their age. Age discrimination also occurs when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular age.

## Chapter 2:

# Your right to be free of discrimination

Examples of age discrimination include:

- An older applicant is not considered for a job because it is assumed that they are not as up to date with technology as a younger person.
- An older employee is not offered training opportunities at work because it is assumed they will retire soon.
- An employer requires an older person to meet a physical fitness test for a job. The physical fitness of the employee has nothing to do with their ability to perform the essential duties of the job.
- A bank has a policy of denying all loan applications from people aged 65 and older.

In most cases it is against the law to treat you unfairly because of your age. In some circumstances, treating someone differently because of their age won't be against the law. These circumstances include:

- Things done in compliance with Commonwealth, state and territory laws.
- Things done as part of some health programs.
- 'Positive discrimination', where a genuine benefit is provided to people of a particular age group or something is done that helps to meet an identified need of people of a certain age group.

- In the case of insurance and superannuation, if the discrimination is reasonably based on statistical data, or other relevant factors.

## **Where to go for more information**

Read the Australian Human Rights Commission's guide to age discrimination. Phone **1300 369 711** to order a copy or visit [www.humanrights.gov.au](http://www.humanrights.gov.au).

## **Where to go for help or to make a complaint**

If you experience age discrimination make a complaint to the Australian Human Rights Commission. You can also ask someone such as a solicitor, advocate or trade union to make a complaint on your behalf. The Commission can investigate the complaint and try to resolve it by conciliation. Phone the Complaint Info Line on **1300 656 419**.

## Chapter 2: Your right to be free of discrimination

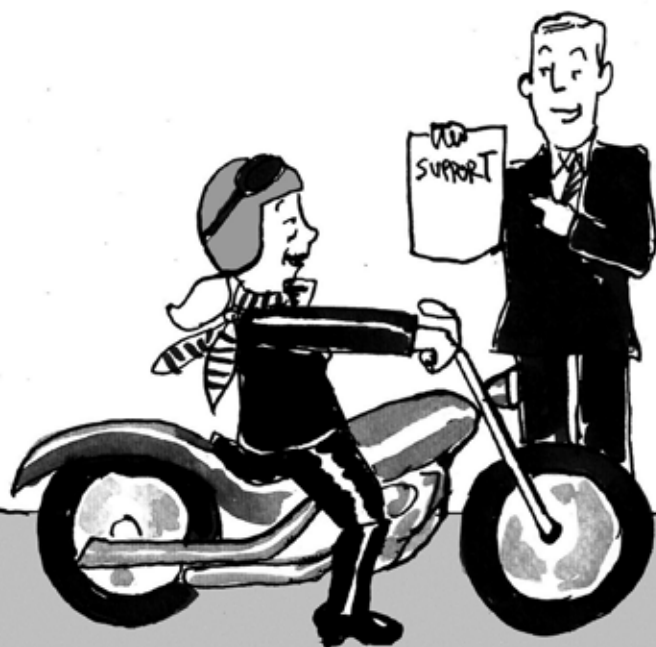
You can also seek legal advice. Contact legal aid in your state or territory for legal information, referral and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

You can also get a referral to a solicitor or community legal centre by calling the law society.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

WELL, 65 MAY BE THE NEW 32,  
BUT YOU'RE STILL ENTITLED TO  
SOME BENEFITS.



## Chapter 3:

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# Your right to government support

Older Australians have the right to claim income support as they age. Eligibility for payments is subject to meeting certain criteria. A person's age, residency in Australia and level of income and assets is taken into account in determining eligibility and the rate of payment. For couples, combined circumstances are taken into account.

The majority of Australians aged 65 and older receive some form of government income support. This chapter explains the different forms of income support for older people.

## Chapter 3:

# Your right to government support

### 3.1 The Age Pension

The Age Pension is a fortnightly payment providing income support to eligible Australians.

For some people the Age Pension is the sole source of income in retirement. For others, the Age Pension can be used to supplement other sources of income, such as income from superannuation or income from employment.

Recipients of the Age Pension may be able to receive additional payments such as Rent Assistance, the Pension Supplement and the Clean Energy Supplement. These are fortnightly or lump sum payments to help you pay rent and bills. For more information about Rent Assistance see [page 22](#).

Recipients of the Age Pension are entitled to concessions through the Pensioner Concession Card described on [page 109](#).

People receiving the Age Pension may be eligible for more than one type of payment. For example, you may be eligible for both the Age Pension and the Carer Payment. See [page 18](#) for more information about the Carer Payment.



## Eligibility

To be eligible for Age Pension, you must be of a certain age and meet an income and assets test.

Your eligibility age depends on your date of birth.

<b>Born</b>	<b>Women eligible for Age Pension at age</b>	<b>Men eligible for Age Pension at age</b>
Between 1 July 1947 and 31 December 1948	64 and a half	65
Between 1 January 1949 and 30 June 1952	65	65
Between 1 July 1952 and 31 December 1953	65 and a half	65 and a half
Between 1 January 1954 and 30 June 1955	66	66
Between 1 July 1955 and 31 December 1956	66 and a half	66 and a half
After 1 January 1957	67	67

## Chapter 3:

### Your right to government support

The amount of Age Pension you receive depends on your income from sources such as employment, superannuation or investments. The Age Pension is also affected by the income of your partner. Your combined income will be taken into account when Centrelink calculates your Age Pension. You can earn a certain amount of income from employment each fortnight before your Age Pension payment is reduced. For more information on working while claiming the Age Pension, see [pages 96 to 99](#).

The amount of Age Pension you receive also depends on the value of your assets, such as the real estate you own and the money you have in bank accounts, investments and superannuation funds. Your principal home is excluded from this assessment. Be aware that if you give away your assets, your Age Pension may be affected.

You must also meet certain Australian residency requirements. Note that if you don't meet these requirements Centrelink may still be able to assist you. For more information about your options see [page 233](#).

## Claiming the Aged Pension

If you are approaching Age Pension eligibility age it is wise to plan ahead. You can receive Age Pension from the earliest possible date if you:

- Lodge a claim for Age Pension in the 13 weeks prior to reaching Age Pension age; or
- Register an ‘intent to claim’ on the day you first qualify for the Age Pension. You can register your intent to claim by email, by phone, or in person at your nearest Centrelink service centre.

You can lodge a claim for the Age Pension online or by obtaining a claim form. Claim forms can be ordered by contacting Centrelink by phone or attending a Centrelink service centre.

You will need to provide Centrelink with information to make a claim for the Age Pension. This includes:

- An income and assets form;
- Proof of your Australian residency status;
- Bank details; and
- Any other verification documents Centrelink requests.

Centrelink will let you know whether your claim has been successful. They will also tell you when your payment will start and how much income you will receive.

## Chapter 3:

# Your right to government support

If you are already receiving a Centrelink income support payment, Centrelink will write to you and explain what you need to do to transfer to the Age Pension. In these circumstances, you will not have to complete a full claim form.

### Where to go for more information

Phone the Department of Human Services, Centrelink, Older Australians line on **13 23 00** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information on the Age Pension or to begin your claim.

Speak to a Centrelink Financial Information Service (FIS) officer for more information about the Age Pension and any interaction with income from employment, investments or superannuation. Call **13 23 00** and ask to speak to FIS officer. You can also visit [www.humanservices.gov.au](http://www.humanservices.gov.au).

### Where to go for help or to make a complaint

Phone Centrelink's Feedback and Complaints line on **1800 132 468**. A review or appeal against a decision may be possible.

For legal advice contact a welfare rights centre in your state or territory.

ACT	Social Security and Tenant's Advice Line, Welfare Rights and Legal Centre ACT	02 6218 7977
NSW	Welfare Rights Centre Sydney	1800 226 028 or 02 9211 5300
NT	Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Welfare Rights Centre, Brisbane	07 3421 2510
	Townsville Community Legal Centre	07 4721 5511
SA	Adelaide Welfare Rights Centre	08 8223 1338 or 1800 246 287
Tas	Hobart Community Legal Service	03 6223 2500
Vic	Social Security Rights Victoria	03 9481 0355 or 1800 094 164
	Barwon Community Legal Centre, Geelong	03 5221 4744
WA	Welfare Rights and Advocacy Service Western Australia	08 9328 1751

The Social Security Appeals Tribunal provides review of decisions made by the Department of Human Services. You can apply to the Tribunal for a review of a decision by phoning **1800 011 140**.

## Chapter 3:

# Your right to government support

## 3.2 Support and entitlements for Carers

If you provide care for a family member, partner, grandchild or other person, make sure you are aware of your entitlements by talking to Centrelink.

There are a number of different carer entitlements and some of these can be combined.

### **(a) Carer Payment**

The Carer Payment is an income support payment for eligible parents or carers providing constant daily care in the home of a person 16 years or over with a severe disability, a medical condition or someone who is elderly and frail. It is also available to carers of a child (or children) under 16 years with a severe disability or medical condition.

The Carer Payment is intended for people whose care responsibilities mean that they are unable to work in substantial paid employment.

Eligibility depends on your own income and assets and these are combined if you are a member of a couple. The income and assets of the person you are caring for is also taken into consideration. You must also meet residency requirements.

Recipients of Carer Payment may be eligible to receive additional support through Rent Assistance, the Carer Supplement and the Clean Energy

Supplement. These are fortnightly or lump sum payments to help you pay rent and bills. Recipients will also be entitled to a Pensioner Concession Card. For more information about Rent Assistance see [page 22](#) and for more information about health concessions see [page 109](#).

### **(b) Carer Allowance**

The Carer Allowance is a supplementary payment for eligible parents or carers who provide daily care in their home or the home of a person 16 years or over with a disability or medical condition, or someone who is elderly and frail.

The Carer Allowance is different from the Carer Payment because it is not means-tested, therefore your income and assets do not affect your eligibility. This means that if you are eligible, you will receive the Carer Allowance no matter what other income you receive. It is available to people who are working; self-funded retirees; and people receiving income support payments. These can include the Age Pension, the Carer Payment or a pension from the Department of Veterans' Affairs.

You must meet Australian residency requirements.

Recipients of Carer Allowance may automatically receive the Carer Supplement as an annual payment. Recipients of Carer Allowance who care for a child

## Chapter 3:

### Your right to government support

(or children) under 16 years with a disability, may automatically receive the Child Disability Assistance Payment as an annual payment. You may also be entitled to Rent Assistance. See [page 22](#) for information about rent assistance.

#### **(c) Grandparent Child Care Benefit**

The Grandparent Child Care Benefit is available to eligible grandparents who are the primary carers of their grandchild or grandchildren. The benefit covers the full cost of child care for up to 50 hours for each child in approved care each week.

To be eligible, a grandparent will need to be the natural, adoptive, or step grandparent of the child, a great-grandparent or their partner, as well as being the primary carer of the grandchild. You must be in receipt of an income support payment, for example the Age Pension or Carer Payment.

#### **Where to go for more information**

For information on the Carer Payment and the Carer Allowance, phone Centrelink's Disability and Carers line on **13 27 17** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

For information on the Grandparent Child Care Benefit, phone Centrelink on **13 61 50** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.



Grandparent advisers are in selected Centrelink service centres to support grandparents who are caring full-time for their grandchildren. Call an adviser on **1800 245 965** or visit your nearest service centre.

## Where to go for help or to make a complaint

Phone Centrelink’s Feedback and Complaints line on **1800 132 468**. A review or appeal against a decision may be possible.

For legal advice contact a welfare rights centre in your state or territory.

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Tas	Hobart Community Legal Service	03 6223 2500

## Chapter 3: Your right to government support

Vic	Social Security Rights Victoria	03 9481 0355 or 1800 094 164
	Barwon Community Legal Centre, Geelong	03 5221 4744
WA	Welfare Rights and Advocacy Service Western Australia	08 9328 1751

The Social Security Appeals Tribunal provides review of decisions made by the Department of Human Services, including Centrelink decisions. You can apply to the Tribunal for a review of a decision by phoning **1800 011 140**.

### 3.3 Rent Assistance

You may be entitled to Rent Assistance if you pay rent for private accommodation and receive a Centrelink payment, including the Age Pension or Carer Payment. Rent Assistance can be provided to people in residential care facilities if these facilities are not already subsidised by the Australian Government.

#### Where to go for more information

Phone Centrelink on **13 23 00** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

## Where to go for help or to make a complaint

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## Chapter 3:

# Your right to government support

The Social Security Appeals Tribunal provides review of decisions made by the Department of Human Services, including Centrelink decisions. You can apply to the Tribunal for a review of a decision by phoning **1800 011 140**.

### 3.4 The Seniors Supplement

The Seniors Supplement is a quarterly payment for self-funded retirees who are not on the Age Pension. It is designed to help you with bills and household expenses. Recipients must be of Age Pension age and hold a Commonwealth Seniors Health Card. To hold a Commonwealth Seniors Health Card you must have an annual adjusted income of less than \$50 000 for singles or \$80 000 for couples combined. See [page 109](#) for more information on the Commonwealth Seniors Health Card.

#### Where to go for more information

Phone Centrelink on **13 23 00** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

#### Where to go for help or to make a complaint

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NSW	Welfare Rights Centre Sydney	1800 226 028 or 02 9211 5300
NT	Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Welfare Rights Centre, Brisbane	07 3421 2510
	Townsville Community Legal Centre	07 4721 5511
SA	Adelaide Welfare Rights Centre	08 8223 1338 or 1800 246 287
Tas	Hobart Community Legal Service Inc.	03 6223 2500
Vic	Social Security Rights Victoria	03 9481 0355 or 1800 094 164
	Barwon Community Legal Centre, Geelong	03 5221 4744
WA	Welfare Rights and Advocacy Service Western Australia	08 9328 1751

## Chapter 3:

# Your right to government support

The Social Security Appeals Tribunal provides review of decisions made by the Department of Human Services, including Centrelink decisions. You can apply to the Tribunal for a review of a decision by phoning **1800 011 140**.

### 3.5 Pension Loans Scheme

The Pension Loans Scheme allows people of Age Pension age to access a regular income from a loan which is secured against any property that you own. The loan is paid to you in regular fortnightly instalments. You can choose a loan amount up to the maximum Age Pension payment. The Pension Loans Scheme is for part pensioners and self-funded retirees who cannot receive the full Age Pension because of their income or assets (but not both).

For eligible people, the Pension Loans Scheme is an alternative to a commercial reverse mortgage or equity release scheme.

You may be eligible for a loan under the Pension Loans Scheme if:

- You or your partner is of Age-Pension age;
- You have real estate in Australia to use as security for the loan, such as your home;

- You or your partner receive part Age Pension (or would receive part Age Pension, but your rate is reduced to nil because of either the income or the assets test, but not both);
- You are not receiving a reduced rate of Age Pension solely because of a direct deduction; and
- You meet Age Pension residency requirements.

Interest is charged on the loan and increases the repayment amount. You can repay the loan at any time. The loan can be repaid from your estate after your death.

## **Where to go for more information**

Contact Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak to FIS officer for more information. You can also visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

The National Information Centre for Retirement Investments (NICRI) can give you more information on financial planning and seeking investment advice. Phone their telephone information service on **1800 020 110**.

## **Where to go for help or to make a complaint**

Phone Centrelink's Feedback and Complaints line on **1800 132 468**. A review or appeal against your decision may be possible.

## Chapter 3:

# Your right to government support

For legal advice contact a welfare rights centre in your state or territory.

ACT	Social Security and Tenant's Advice Line, Welfare Rights and Legal Centre ACT	02 6218 7977
NSW	Welfare Rights Centre Sydney	1800 226 028 or 02 9211 5300
NT	Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Welfare Rights Centre, Brisbane	07 3421 2510
	Townsville Community Legal Centre	07 4721 5511
SA	Adelaide Welfare Rights Centre	08 8223 1338 or 1800 246 287
Tas	Hobart Community Legal Service	03 6223 2500
Vic	Social Security Rights Victoria	03 9481 0355 or 1800 094 164
	Barwon Community Legal Centre, Geelong	03 5221 4744
WA	Welfare Rights and Advocacy Service Western Australia	08 9328 1751



The Social Security Appeals Tribunal provides review of decisions made by the Department of Human Services, including Centrelink decisions. You can apply to the Tribunal for a review of a decision by phoning **1800 011 140**.

### 3.6 Seniors Card

A Seniors Card gives you concessions on a variety of goods and services including government services, transport, and shopping within your state or territory. You can use the Seniors Card across Australia but some restrictions may apply. The Seniors Card is free but you must apply. You are entitled to a Seniors Card if you are:

- 60 years of age or older (65 years of age in Queensland, except for those aged 60-64 and holding a concession card from Centrelink or the Department of Veterans' Affairs);
- A permanent resident of the state or territory in which you apply; and
- Not working more than a certain amount of hours a week.

## Chapter 3: Your right to government support

### Where to go for more information

Contact the office responsible for the Seniors Card in your state or territory.

ACT	Council of the Ageing ACT	02 6282 3777
NSW	NSW Seniors Card	1300 364 758
NT	Seniors Card, Department of Health and Families	1800 777 704
Qld	Smart Service Queensland	137 468
SA	Seniors Card Program, Office for the Ageing	1800 819 961
Tas	Seniors Card Program, Department of Prime Minister and Cabinet	1300 13 55 13
Vic	Victoria Seniors Card Program	1300 797 210
WA	Seniors Card Hotline	08 6551 8800



SOMETHING TELLS ME THEY'RE  
NOT AS REPUTABLE AS THEY  
CLAIM...

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## Chapter 4:

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# Your right to support in making financial decisions

There are a number of financial decisions that you will need to make at the point of retirement. In addition, during the stages and phases of retirement, you may need to update these decisions or make changes to suit changing circumstances. You have a right to access support as you make these very important decisions. This chapter provides basic information and explains the services that are available to help you make sound financial decisions in retirement.

## Chapter 4:

# Your right to support in making financial decisions

## 4.1 Financial planning

Planning your finances is an essential step to ensure you will have enough money to fund your retirement. Making financial decisions can be complicated and you may wish to get the help of a financial planner or a financial adviser. There are many risks and dangers in making financial decisions without fully understanding the detail. A financial planner can help you become more financially secure and help you to keep on track.

You can get the most out of a financial planner or adviser if you are well informed and do your homework first. Here are a few simple steps you can take:

1. Make a list of topics about which you need advice. Do you need simple advice on your immediate needs or broader long term planning?
2. Choose a planner who is a good fit for your needs by shopping around. Phone around and ask a few advisers for initial information.
3. Make sure your planner has a valid Australian Financial Services Licence (AFSL) or is an authorised representative of an AFSL.

4. Find out if your planner or adviser is a member of a professional organisation such as the Financial Planning Association, the Association of Financial Advisers or CPA Australia. Members of these organisations agree to comply with their organisation's rules regarding ethics and conduct.
5. Find out if your advisor has much experience advising people in your situation.
6. Ask how the adviser will be paid. There are restrictions on what sort of fees financial advisers can charge. If you are receiving advice after 1 July 2013, in most cases it is illegal for your financial planner to receive commissions.
7. A financial adviser has a duty to act in your best interest. Make a complaint if you do not think this is happening.

## **Where to go for more information**

There are a number of ways in which you can find a financial adviser.

The Australian Securities and Investment Commission's (ASIC) MoneySmart website has lots of guidance on choosing a financial adviser and can give you more information on financial planning. Visit the website at [www.moneySMART.gov.au](http://www.moneySMART.gov.au).

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# Your right to support in making financial decisions

Contact your superannuation fund for help finding a financial advisor

The National Information Centre for Retirement Investments (NICRI) can give you more information on financial planning and seeking investment advice. Phone their telephone information service on **1800 020 110**.

The Financial Planning Association can help you find a financial planner. Use their online service at [www.fpa.asn.au](http://www.fpa.asn.au) or phone **1300 626 393**.

Contact the Association of Financial Advisers for help finding a financial adviser. Use their online service at [www.afa.asn.au/findanadviser](http://www.afa.asn.au/findanadviser). If you need assistance using the online service, call **02 9267 4003**.

CPA Australia can help you find a financial planner. Use their online service at [www.cpaaustralia.com](http://www.cpaaustralia.com) or phone **1300 73 73 73**.

### **Where to go for help or to make a complaint**

If you experience a problem with your financial planner, investments or managed funds, first try to speak to them about your problem. If you are not satisfied with their response, ask the planner for their complaints handling procedure. You can then write them a letter or email which explains the problem



clearly. Include copies of relevant documents. Keep the originals and a copy of your complaint letter.

If your complaint is still not resolved you can access a free external dispute resolution service. Your planner or investment company will be a member of one of these dispute resolution services. Contact:

- The Financial Ombudsman Service on **1300 780 808**.
- The Credit Ombudsman Service on **1800 138 422**.

If you would like help with making a complaint, contact:

- The ASIC Infoline on **1300 300 630**.  
Visit ASIC's MoneySmart website at [www.moneysmart.com.au](http://www.moneysmart.com.au).
- The National Information Centre for Retirement Investments (NICRI) on **1800 020 110**.

## 4.2 Free financial information services

A number of financial information services offer free information about finances and investments. These services provide information but not advice.

The Department of Human Services' **Financial Information Service (FIS)** officers provide free and independent financial information. FIS officers provide

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### Your right to support in making financial decisions

information to help people make informed decisions about investment and financial issues. They are not financial planners and do not give or sell advice or assist you to buy investments.

You can talk to a FIS officer over the phone or by appointment. The FIS run seminars aimed at people in the workforce, people who are about to retire, and people who have already retired. You do not need to be receiving a government payment to access this service. This service is confidential. Information may be used to correct your Centrelink payment rate.

Phone the Centrelink Financial Information Service (FIS) on **13 23 00** and ask to speak to a FIS officer. For more information go to [www.humanservices.gov.au](http://www.humanservices.gov.au).

The **Australian Securities and Investment Commission (ASIC)**'s **MoneySmart** website provides financial information for people at all stages of life. ASIC's MoneySmart website offers free, independent guidance so you can make the best choices for your money. ASIC is an independent Australian Government body that regulates corporations, markets and the financial services industry. The MoneySmart website helps ordinary Australians take steps to improve their personal finances. The website can be used to access calculators and print publications on a wide range of financial topics. ASIC also operates an Infoline.

Phone the ASIC Infoline on 1300 300 630 or visit ASIC's MoneySmart website at [www.moneysmart.com.au](http://www.moneysmart.com.au).

The **National Information Centre on Retirement Investments (NICRI)** is a free, independent and confidential consumer organisation funded by the Australian Government. NICRI does not provide advice but can assist consumers to find out more about financial products, processes, regulations and general information. NICRI also has information for consumers who are looking to access the equity in their home or who are facing redundancy. NICRI can be contacted through their telephone information service.

Phone the National Information Centre for Retirement Investments (NICRI) telephone information service on **1800 020 110**.

**Financial Counselling** providers offer free, independent and confidential information, support and advocacy to people who are currently experiencing financial difficulty. Services are provided through a network of local community organisations, legal centres and government agencies. You can access services over the phone as well as face-to-face.

Phone the Financial Counselling Hotline on **1800 007 007** for information over the telephone and to find a provider of face-to-face services in your area.

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# Your right to support in making financial decisions

### 4.3 Help with budgeting

Older Australians can find themselves stretched for money in retirement. You can stay out of financial trouble by taking control of your money. Here are a few helpful tips to get started on budgeting:

1. Keep a record of your spending. Write everything you spend in a notebook every day so that you can see where your money goes. You can also find budgeting tools at ASIC's MoneySmart website [www.moneysmart.gov.au/tools-and-resources/calculators-and-tools](http://www.moneysmart.gov.au/tools-and-resources/calculators-and-tools).
2. Create a budget. This will help you understand how much money goes in and how much goes out every month. Work out if you have more income than expenses.
3. Manage your bills. Mark on your calendar when big bills are due and set aside money for them in advance. Ask if you can make regular payments on your bills.

If you receive Centrelink benefits, such as the Age Pension, ask about Centrepay. It is a free direct bill-paying service offered to customers receiving Centrelink payments. Through Centrepay, you can choose to pay bills like rent, electricity, gas and phone by

having regular amounts deducted from your Centrelink payments. This money can be used to automatically pay your bills.

4. Create savings goals and set aside small amounts each week. Reward yourself for your efforts.

## Where to go for more information

ASIC's MoneySmart website has tips on budgeting and budget planners for you to use. Access these online at [www.moneysmart.gov.au](http://www.moneysmart.gov.au) or order MoneySmart's booklet Managing Your Money by phoning the ASIC Infoline on **1300 300 630**.

For more information on Centrepay phone Centrelink on **13 23 00** or visit [www.humanservices.com.au](http://www.humanservices.com.au).

Centrelink's Financial Information Service (FIS) can help you develop strategies to better manage your day to day spending, bill payments and debts. FIS can help you develop a plan if you find yourself in trouble. Phone **13 23 00** and ask to speak to a FIS officer.

Financial counselling services offer help if you have difficulty meeting repayments, can't pay a bill or need assistance developing a budget plan. Phone the National Helpline on **1800 007 007** to access this service.

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#### 4.4 When you can access your superannuation

For some retirees superannuation is the primary source of income in retirement. For others it is a way to supplement income from the Age Pension.

Before you decide to access your superannuation, work out how long your superannuation savings are likely to last. Consider how much you will need to cover basic living costs as well as longer term medical and care costs. Compare this to the amount you have in superannuation.

You can access your super when you have stopped working altogether as long as you have reached a certain age, known as your preservation age and you have permanently retired. Your preservation age is between 55 and 60 depending on when you were born. See the following table, Age of Access to Superannuation.

You are considered to be retired from the workforce if you are working less than 10 hours a week.

## Age of access to Superannuation

Date of birth	Preservation Age
Before 1 July 1960	55
1 July 1960 – 30 June 1961	56
1 July 1961 – 30 June 1962	57
1 July 1962 – 30 June 1963	58
1 July 1963 – 30 June 1964	59
After 20 June 1964	60

If you are aged 65 or over, you can access your superannuation without having stopped working.

There are also options to access your superannuation while still working. However, you must have reached preservation age. You can access your superannuation while you are still working by setting up a ‘transition to retirement’ pension. This means you will be accessing some of your superannuation funds while still earning an income. If you would like more information on accessing superannuation while working, see [pages 99 to 101](#).

There are some very limited circumstances when you may be able to access your superannuation before preservation age. These are:

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- **Incapacity:** if you suffer permanent or temporary incapacity;
- **Severe financial hardship:** if you have received Commonwealth benefits for 26 continuous weeks but are still unable to meet immediate living expenses;
- **Compassionate grounds:** to pay for medical treatment for seriously illness, or to assist in instances of mortgage foreclosure; and
- **Terminal medical condition:** if you have a terminal illness or injury.

If you die before you have received your superannuation benefits, they will be paid to your dependants or your legal representative to form part of your estate.

#### Where to go for more information

ASIC's MoneySmart retirement planner is a free online calculator that can help you estimate how much money you might have in retirement. Access it online at [www.moneysmart.gov.au/tools-and-resources/calculators-and-tools/retirement-planner](http://www.moneysmart.gov.au/tools-and-resources/calculators-and-tools/retirement-planner).

Phone the National Information Centre for Retirement Investments (NICRI) telephone information service on **1800 020 110**.



The Department of Human Services' website [www.humanservices.gov.au](http://www.humanservices.gov.au) has some useful resources on the early release of superannuation. If you would like more information about early access to your superannuation speak to the Department of Human Services' Early Release of Superannuation general enquiries line on **1300 131 060**.

Contact the Australian Taxation Office Superannuation Info Line for more information on superannuation on **13 10 20**.

If you would like to access your superannuation before preservation age or for more information on the specific criteria for financial hardship grounds, speak to your superannuation fund directly.

## **Where to go for help or to make a complaint**

The Superannuation Complaints Tribunal can hear complaints about superannuation. Phone **1300 884 114**.

For help finding a financial planner you can contact:

- Your superannuation fund;
- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

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## 4.5 Receiving your superannuation benefits

There are a number of ways you can use your superannuation to give you income in retirement. Superannuation income can be in the form of regular payments; at weekly intervals, fortnightly, monthly, quarterly or annual intervals. Some people choose to withdraw their superannuation to invest privately, to pay off loans or to pay for necessary items. You can choose one or a combination of these options.

Superannuation is complex and requires careful consideration and discussion with a financial expert.

Many people receive a combination of the Age Pension and a superannuation income. There are rules about how much income you can receive each year before the Age Pension is reduced. You should speak to Centrelink about this.

Make sure you are aware of the fees that your superannuation provider charges you and understand the fees and or penalties that may be charged if you change your superannuation arrangements.

The following four options are common ways that people derive an income from superannuation:

## **(a) Account based pensions**

Account based pensions provide you with regular income drawn from your superannuation benefits. This means you can arrange a regular income payment that suits your requirements.

Under this option, your superannuation remains within the superannuation fund and may continue to earn investment returns. Your account balance can go up or down depending on how your money is invested.

You can discuss your investment options with your superannuation fund. Note that different funds offer different investment options. While you have the flexibility to change your investment options or even change your superannuation provider, there might be fees associated with changes, so make sure you are well informed in advance.

You are required to withdraw a minimum payment each year of between 4 percent and 14 percent of your total superannuation balance, depending on your age. You can withdraw lump sums at any time, subject to the rules of the superannuation fund.

If you draw too much income or have poor investment experience your account based pension may not last as long as you expected. When you have used all the money in your account, you will not get any more payments.

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#### **(b) Annuities**

Annuities can be purchased using a lump sum from your superannuation or from other savings. They will give you a fixed regular income for a fixed number of years or for life, depending on which option you buy.

There are many types of annuities. If you want to be protected from inflation, you can buy an annuity that provides payments that increase with inflation each year. This extra cost is factored into the price of the annuity.

You also have the option to purchase a joint lifetime annuity with your partner. The annuity will continue to pay income until the longest living partner dies.

Your income will not depend on how the market is going. The organisation that sells you the annuity takes on this risk instead of you because the cost of the risk is part of the price of the annuity. If the market is strong, annuities may not offer as high returns as other investment options.

Annuities are generally fixed and do not have much flexibility for change. There may be charges and fees if you want to exit the product before the term of the annuity expires, or you may find it impossible to exit the annuity at all.

You do not necessarily need to use all of your superannuation savings to purchase an annuity. For example, the combination of an annuity and an account based pension could be used to balance out the respective advantages and disadvantages of each option. Annuities and account-based pensions can be used to top up the Age Pension.

### **(c) Withdrawing superannuation as a lump sum**

A third option for superannuation is to withdraw your superannuation funds as a lump sum and spend or reinvest the money independently. While this option gives you maximum flexibility, there may be a risk of spending your money too quickly. Managing your own investments can also be very complex and any income that you earn outside of a superannuation fund will be part of your taxable income and you may pay tax on it.

### **(d) Tax on superannuation income**

People aged 60 or older do not pay tax when they withdraw their superannuation benefits as a lump sum from a taxed superannuation source. However, you may pay tax on any investment earnings you make if you reinvest the money outside a superannuation fund.

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Account based pensions and annuities are both low tax options and the earnings component of account based pensions and annuities may be tax free. If you are aged 60 or older, the income that is paid to you is tax free if it is from a taxed superannuation source. Tax is payable on earnings of some defined benefit superannuation schemes.

Contact your superannuation fund to find out whether your superannuation is from a taxed or an untaxed source.

Contact the Australian Taxation Office for more information.

#### **Where to go for more information**

There are rules on how much superannuation income you can receive each year before the Age Pension is reduced. Phone Centrelink on **13 23 00** for more information.

For more detailed information on how each superannuation investment options is taxed, phone the Australian Taxation Office Superannuation Info Line on **13 10 20**.

ASIC's MoneySmart website provides more information on superannuation options. Read their booklet Financial Decisions at Retirement, call the ASIC Infoline on 1300 300 630 or visit their website at [www.moneysmart.gov.au](http://www.moneysmart.gov.au).

Phone the National Information Centre for Retirement Investments (NICRI) telephone information service on **1800 020 110**.

## **Where to go for help or to make a complaint**

For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

The Superannuation Complaints Tribunal can hear complaints about superannuation and related products. Phone **1300 884 114**.

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## 4.6 Investment basics

People in retirement may decide to invest their money. Investing money is risky. Try to understand the risks and be realistic about them. Taking care when you invest is your best protection. Careful investing involves:

- Having control of your debts;
- Setting aside enough money and insurance for an emergency rather than investing all your money;
- Setting realistic goals and a realistic timeframe for investment;
- Understanding that high returns usually mean high risk;
- Seeking financial advice to find out what the risks are in a product before making an investment;
- Not putting all your money in one type of investment;
- Paying attention to how your investments are going; and
- Choosing investments that suit your needs and objectives.

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### Where to go for more information

Phone the ASIC Infoline on **1300 300 630** or visit ASIC's MoneySmart website at [www.moneysmart.gov.au](http://www.moneysmart.gov.au).

Phone the National Information Centre on Retirement Investments (NICRI) telephone information service on **1800 020 110**.

### Where to go for help

A financial adviser can help you invest. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

## 4.7 Investment warnings

Some investments can look like good investments but carry hidden risks and end up being bad value for the investor. Common poor investments include:

- **Investments that are hidden pyramid schemes.** Investors are promised a return but their money is not actually invested in anything. Instead, money is put into a pool used to pay returns to

other investors. Eventually the scheme runs out of money because there are no more investors. It collapses and investors lose their money.

- **Investment seminars** that promise to share secrets of risk free investments and high returns. Some of these investment seminars charge very high fees after the initial ‘free’ seminar.
- **Investment trading software** that suggests you will receive high returns with little knowledge or effort required. Trading is risky and requires specialist knowledge. If you don’t have that knowledge, think about whether you trust the software to stand in its place.
- **Unsolicited offers to buy your shares.** The danger here is that the potential buyer could be offering you much less than the current market price. Alternatively they may offer to buy your shares at or above market value but you will be paid slowly for them over a long period of time.
- **Illegal managed investments schemes.** Check that the business offering you a scheme is registered with ASIC as unregistered schemes are illegal. Check that the business has an Australian Financial Services Licence. Without a licence you miss out on important legal protections.

Be cautious and seek advice before investing.

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### Where to go for more information

Contact the Australian Securities and Investment Commission (ASIC) for more information on how to check to see if a company is registered, or has an AFS licence. Phone ASIC on **1300 300 630**.

Phone the National Information Centre for Retirement Investments (NICRI) telephone information service on **1800 020 110**.

Some investments are really scams. For more information contact the SCAMwatch Infocentre run by the Australian Competition and Consumer Commission (ACCC) on **1300 795 995**.

If you are thinking about making a particular investment, seek advice from a financial adviser. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

## **Where to go for help or to make a complaint**

If an investment you have made goes wrong, seek help.

Make a complaint to the Australian Securities and Investment Commission (ASIC) if you think there has been misconduct by a company. Contact their Infoline on **1300 300 630**.

If you think you have been given bad financial advice about an investment, complain to your adviser first. You can then make a complaint to the industry body of which your adviser is a member. Your adviser may be a member of:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

Speak to a financial counsellor if you are in financial trouble as a result of an investment that has gone wrong. Access free and independent financial counselling by calling the National Helpline on **1800 007 007**.

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Seek legal advice if you think the company you invested in may have breached the law. You might be able to get compensation in some circumstances.

You can contact legal aid for information, referrals, and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

You can also get a referral to a solicitor or community legal centre by calling the law society.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## 4.8 Helping family and friends financially

You may be thinking of helping your family or friends financially. You could be thinking of giving away money, a property, or loaning money to family. You could also be thinking about acting as a loan guarantor for a family member or helping them to secure a loan in another way.

Even when you are dealing with close family or friends, you should always think about the consequences for **you** and **your** finances if something goes wrong. A refusal may be uncomfortable in

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the short-term, but it may save a lot of problems in the longer term. Seek legal advice about what the transaction means and what you are required to do to protect your interests. This will help you understand how you can best help your family and friends without hurting yourself in the process.

If you are making a **gift**:

- Be aware that the Age Pension may be affected. Making a gift of money or transferring some of your assets could result in the Age Pension being reduced. Make sure you check with Centrelink if you are considering giving away money or assets.

If you are making a **loan** of money:

- It is vital that it is recorded in writing. Have a solicitor draw up an agreement. If a loan is not in writing, there is no evidence that the money you gave away was intended to be a loan rather than a gift and you won't be able to insist on it being repaid.
- Make a realistic assessment of whether or not you will have your money repaid.
- Secure the loan so that you will not lose your money if the borrower cannot pay it back. Securing a loan means that you would have the right to an asset if the borrower doesn't repay the loan.



If you are considering **guaranteeing a loan**:

- Ensure you have received independent legal advice because guaranteeing a loan is very complex. Make sure you understand all of the consequences of the agreement.
- Make a realistic assessment about whether the borrower will be able to meet their repayments. Consider all of their other expenses and the stability of their income. How much income do they have compared to how much they need to repay?
- Think about what will happen if the borrower is not able to repay the loan. Will you be able to meet the repayments yourself?
- Consider the safest way to help your family and friends. If your family or friend needs help with debt you can refer them to a financial counsellor. A financial counsellor can help to find the best solution for everyone involved.

In some cases, family and friends may abuse your willingness to help them financially. This is financial abuse. For more information read [page 74](#).

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### Where to go for more information

Call Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak to a FIS officer for more information about how the Age Pension will be affected by gifting money or assets to family or friends.

Phone the ASIC Infoline on **1300 300 630**.

### Where to go for help

Contact Legal Aid in your state or territory for legal information, referrals, and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

You can also contact a private solicitor. For help finding a solicitor, contact the law society in your state or territory. If you can't afford a private solicitor, speak to the law society about community legal centres in your local area.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## 4.9 Reverse mortgages and equity release products

A reverse mortgage allows you to borrow money using the equity in your home as security. You must repay the loan with the interest if you sell your home or move into an aged care facility. If you die, the amount owed will be deducted from your estate.

## Chapter 4:

### Your right to support in making financial decisions

Reverse mortgages can be very difficult to understand and do not suit everyone's circumstances. Seek legal and financial advice to see if they are right for you.

Calculate how much your reverse mortgage will cost you in interest and fees over your lifetime. Also think about how much equity will be left in your home. The more you borrow the higher interest costs will be. Over time, this will reduce the equity in your home; the part of your home you own. You should think about whether you will have enough equity left in your home to pay for future expenses such as medical and aged care costs.

If you enter into a reverse mortgage after 18 September 2012, you cannot end up owing the lender more than your home is worth. This is called the No Negative Equity Guarantee. If you entered a reverse mortgage before September 2012, check your contract to see if you are protected in circumstances where your loan balance ends up being more than the value of your property.

Check to see if your lender is a member of the Senior Australians Equity Release Association of Lenders (SEQUAL). SEQUAL members agree to follow a code of conduct.

An alternative to a commercial reverse mortgage is the Pension Loans Scheme offered by Centrelink. For more information see [page 26](#).

Taking out a reverse mortgage may also affect income support payments such as the Age Pension. Check with Centrelink.

## Where to go for more information

Phone the Equity Release/Reverse Mortgage Information Service, run by the National Information Centre for Retirement Investments (NICRI) on **1800 615 676** to speak to an information officer. You can also request their Equity Release/Reverse Mortgage booklet.

The Senior Australians Equity Release Association of Lenders can provide general information **02 9858 1179**.

Phone the ASIC Infoline on **1300 300 630** or visit ASIC's MoneySmart website at [www.moneysmart.com.au](http://www.moneysmart.com.au).

Use ASIC's reverse mortgage calculator to work out how much your reverse mortgage will cost. The calculator can be found at [www.moneysmart.gov.au/tools-and-resources/calculators-and-tools/reverse-mortgage-calculator](http://www.moneysmart.gov.au/tools-and-resources/calculators-and-tools/reverse-mortgage-calculator).

Speak to Centrelink's Financial Information Service (FIS) to find out how your Age Pension will be affected. Phone **13 23 00** and ask to speak with a FIS officer.

## Chapter 4:

# Your right to support in making financial decisions

### Where to go for help or to make a complaint

Speak to a financial planner or adviser for personalised advice.

For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

If you are experiencing trouble repaying debt, access financial counselling services by phoning the National Helpline **1800 007 007**.

If a dispute arises you can make a complaint.

Contact the Senior Australians Equity Release Association of Lenders on **02 9858 1179**. Your lender may be a member of this organisation.

If you would like to make a complaint contact:

- The Financial Ombudsman Service on **1300 780 808**; or
- The Credit Ombudsman Service on **1800 138 422**.

If you would like help with making a complaint, contact:

- The ASIC Infoline on **1300 300 630**.  
Visit ASIC's MoneySmart website at [www.moneysmart.gov.au](http://www.moneysmart.gov.au).
- The National Information Centre for Retirement Investments (NICRI) on **1800 020 110**.

## 4.10 Paying for your funeral

Many people decide to pre-pay their funeral in order to ease the burden on their families. Make sure you only pre-pay your funeral if it is absolutely necessary. Some people pre-pay funeral costs without realising that their funeral is already covered. For example, you may be covered through insurance. Be aware of your rights before you sign up for any funeral plan because some of these can end up costing more than they are ultimately worth. Remember you always have the option of saving for your funeral on your own.

The following funeral payment options have advantages and disadvantages. Check carefully before you sign up for any funeral plan.

A **funeral bond** is an investment used to save for the cost of a funeral. When you purchase a funeral bond of \$6 000 for example, you agree to pay a lump sum or regular instalments that will eventually add up to

## Chapter 4:

### Your right to support in making financial decisions

the cost of a funeral. Be aware that if you discontinue the bond you may not have the right to get back the money you have already paid. Check the product disclosure statement carefully.

A **pre-paid funeral** is a funeral that you have paid for in advance as a one off payment or in instalments. Be aware that you may not be entitled to change the funeral provider if this becomes necessary, for example if you move interstate before you die. Some costs associated with a funeral such as flowers and funeral notices may not be covered.

**Funeral insurance** requires you to pay monthly or fortnightly ongoing payments for a fixed amount of cover. Premiums usually increase with age and grow over time. If the premium payments become unaffordable and you stop paying them your policy is likely to be cancelled. If this happens, or if you decide to end your policy you usually cannot get back any money you have paid. Be aware of what your policy covers. Often your family cannot receive a payout within a couple of years of starting your policy unless your death is an accident. Check your product disclosure statement carefully and seek advice if there is anything you do not understand.

With some providers it is possible to pre-plan your funeral without paying for it.



YOUR INSURANCE WILL COVER THE FUNERAL BUT "THE BIGGEST SHINDIG OF A WAKE THIS TOWN HAS EVER SEEN" WILL COST EXTRA..



## Chapter 4:

# Your right to support in making financial decisions

### Where to go for more information

Visit ASIC's MoneySmart website at [www.moneysmart.com.au](http://www.moneysmart.com.au) or call the ASIC Infoline on **1300 300 630**. You can also order a copy of the booklet, Paying for Funerals, through ASIC's website or Infoline.

Purchasing any of the above funeral products may affect your income support payment, including your Age Pension. Contact Centrelink on **13 23 00** for more information.

### Where to go for help or to make a complaint

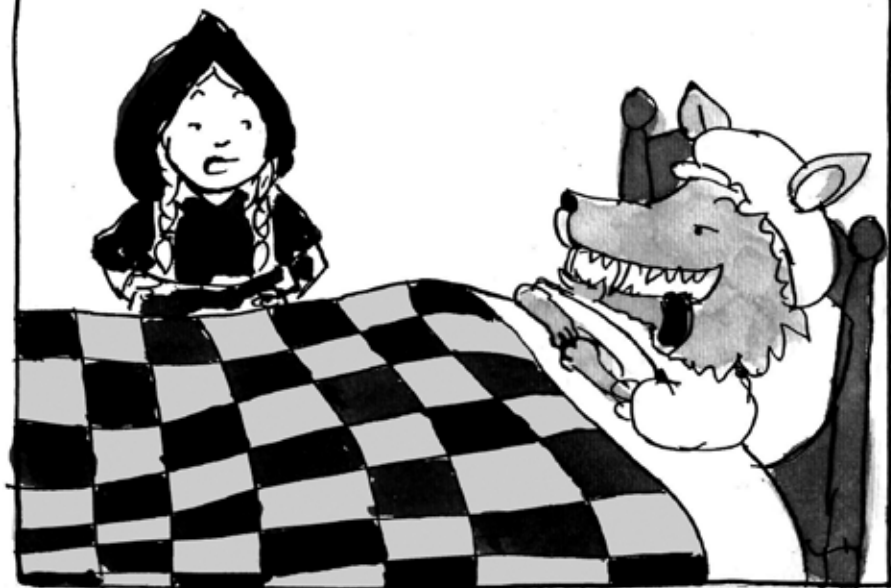
For complaints about funeral insurance contact the Financial Ombudsman Service on **1300 780 808** or the Australian Securities and Investments Commission (ASIC) on **1300 300 630**.

To make a complaint about funeral bonds and prepaid funerals, contact the office responsible for fair trading in your state or territory.

ACT	Fair Trading, Office of Regulatory Services	02 6207 0300
NSW	NSW Fair Trading	13 32 20
NT	Consumer Affairs and Fair Trading	1800 019 319
Qld	Office of Fair Trading	13 74 68
SA	Consumer and Business Services	131 882
Tas	Consumer Affairs and Fair Trading	1300 654 499
Vic	Consumer Affairs	1300 558 181
WA	Consumer Protection, Department of Commerce	1300 304 054

If the provider of your funeral product is a member of The Australian Funeral Directors Association you may make a complaint to them on **03 9859 9966**.

EITHER YOU'RE REALLY LOOKING  
TERRIBLE, GRANDMA, OR THIS  
IS A CLEAR CASE OF IDENTITY  
FRAUD...



## Chapter 5:

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# Your right to be free of financial abuse

Older people, like everyone else, need to be aware of the risk of financial abuse. Close family and friends can abuse their relationships of trust to access older people's finances or pressure them into giving away money. Scammers and fraudsters use sophisticated methods to trick people out of their money. In retirement this can have a devastating effect. You have a right to be safe from such abuse. This chapter explains how financial abuse happens and gives you information about services that can help you to protect yourself.

## Chapter 5:

# Your right to be free of financial abuse

## 5.1 Financial abuse by family and friends

Financial abuse occurs when a person you trust uses that relationship of trust to gain access to your money or property. Sometimes the people pressuring you for money or abusing your trust are your children or good friends. Financial abuse can take many different forms:

- Pressure to act as guarantor for a loan;
- Pressure to transfer or sell your house;
- Pressure to take out a loan in your name for someone else to repay;
- Pressure to give away your money;
- Money you have loaned not being repaid; or
- Persons authorised to manage your money not acting in your best interest, or using your money for themselves.

Keep the following in mind to ensure you are safe from financial abuse.

1. **Get independent legal advice.** Never sign any legal documents under pressure without getting advice about the consequences of signing. You always have a right to get your own independent legal advice. Legal documents such as loans, mortgages and guarantees can be difficult to understand. Don't rely on family or friends to explain these to you. Make sure

the lawyer you see is independent, and can be spoken to in private.

2. **Know what is at stake.** If you use your home as security for a loan, you risk losing your home and potentially being made bankrupt. If the borrower cannot pay back their loan, the bank can take your home. You can still be evicted even if you transferred your home to someone else on the condition that you would still have a right to live in it. Find out how your Age Pension will be affected before you agree to anything such as giving away money or selling property. These actions can mean your pension payments will be affected.
3. **Think about whether your family or friends can repay money.** This is important if you are thinking about acting as a guarantor, loaning money, or taking out a loan in your name for someone else to repay. You have probably been asked for help because their bank thinks they cannot repay the loan on their own. The person seeking a loan from you may be optimistic and might not have thought carefully about what will happen to you if they do not meet repayments. Be realistic about whether the loan will be repaid.

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# Your right to be free of financial abuse

4. **Consider all your options.** Before you give others access to your money decide what kind of help you need. This will prevent you giving away too much control over your affairs. If you have many concerns about managing your money and you are not sure who to trust, there are public services to help you manage your affairs.
5. **Get it in writing.** If you give money to a friend or family member make it clear in writing whether you intend to give the money as a gift or whether you expect the money to be repaid. If there is nothing in writing it will be difficult to show that money was given as a loan and not intended to be a gift. Putting the arrangements in writing will assist if there are problems in having the money repaid. The written agreement should state all the terms of the agreement and be signed by both of you. Seek legal advice before you sign.
6. **Don't be afraid to say no.** You always have the right to protect your own financial security by saying no.



7. **Be vigilant.** If you have authorised others to access your finances or made a loan that you expect to be repaid, keep a close eye on what is happening to your money. Check your bank account statements regularly. If you don't understand decisions that someone else is making about your money or property, ask questions and seek help.

## Where to go for more information

The National Information Centre on Retirement Investments (NICRI) telephone information service provides access to general financial information. Phone NICRI on **1800 020 110**.

Visit ASIC's MoneySmart website at [www.moneysmart.gov.au](http://www.moneysmart.gov.au) or phone the ASIC Infoline on **1300 300 630**. ASIC's MoneySmart has published a fact sheet, Love and Loans about acting as a guarantor. Order a copy by calling the ASIC Infoline or it can be downloaded from ASIC's website.

Centrelink's Financial Information Service (FIS) can provide information about how your Age Pension will be affected if you give away money or assets. Phone **13 23 00** and ask to speak with a FIS officer.

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# Your right to be free of financial abuse

### Where to go for help

Contact a service that specialises in providing information and advocacy services aimed at preventing financial abuse.

ACT	Older Persons Abuse Prevention Referral and Information Line	02 6205 3535
NSW	NSW Elder Abuse Helpline	1800 628 221
	The Older Persons' Legal Service	1800 424 079 or 02 9281 3600
NT	Aged and Disability Rights Team, Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Elder Abuse Prevention Unit	130 651 192
	Seniors Legal and Support Service, Caxton Legal Centre	07 3214 6333
SA	Aged Rights Advocacy Service	08 8232 5377
Tas	Tasmanian Elder Abuse Helpline, Advocacy Tasmania	1800 441 169 or 03 6237 0047
Vic	Seniors Rights Victoria	1300 368 821
WA	Advocare	1800 655 566 or 08 9479 7566

Contact Legal Aid in your state or territory for legal information, referrals, and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

## Chapter 5:

# Your right to be free of financial abuse

If you are thinking of helping family or friends with loans, money or property, or asking for their help managing your money, get independent legal advice. The law society in your state or territory can help you to find a private solicitor or refer you to a community legal centre.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## 5.2 Scams

Every year scammers trick people out of millions of dollars. Scammers can approach you in many different ways: through phone calls, emails, letters and door-knocking. Take these basic precautions to protect yourself:

- Do not agree to offers or deals straightaway;

- Do not hand over money or sign any documents until you have checked the company that you are dealing with;
- Be on guard about every offer that is made to you. If the offer sounds too good to be true, it probably is;
- Get independent advice; and
- When unsure, call the SCAMwatch Infocentre on **1300 795 995**.

Avoid scams by knowing as much as you can about the different scams. There are a few kinds of common scams.

### **(a) Online banking and credit card scams**

Online banking and credit card scams, also known as phishing scams, work by tricking you into providing your banking and credit card details over the internet. Scammers will send you emails and direct you to fake websites where you are asked to provide your banking and credit card details including passwords. They pretend that you must do this to 'update' or 'confirm' your account. These emails and websites can look convincing. Generally, your bank will not ask you to click on links or attachments through an email. When in doubt, don't click on email links that will take you to websites. Go to your bank in person or go to

## Chapter 5:

# Your right to be free of financial abuse

your bank online through your own shortcut or by typing your bank's address into your internet browser. For more information on staying safe on the internet, see [page 180](#).

### **(b) Pyramid schemes**

A pyramid scheme is a scam where unsuspecting people pay large up-front joining or membership fees to participate in 'money-making' ventures. Money is never invested. Instead, you recover money by convincing others to join and taking their money. These schemes eventually collapse when no new members join. Everyone in the scheme then loses their money.

### **(c) Investment scams**

Investment scams happen when a person approaches you, often by phone, email or in person, with an investment offer that sounds irresistible. The money you think you are investing is kept by the scammer. You may be talking to a scammer if:

- They approach you rather you approaching them;
- You are offered big returns with low risk;
- You are told they have inside information;
- The person does not have an Australian Financial Services licence;

- The person is pushy and calls many times; or
- The person says they are associated with a reputable organisation.

#### **(d) Dating and romance scams**

Some scammers use dating services and websites to find their victims. Scammers do this by creating fake profiles on real websites. They pose as potential romantic interests and quickly express strong feelings for you in order to gain your trust. They then insist that you should communicate away from the website. Eventually they will ask you for money, gifts or your banking and credit card details. Other scammers set up dating websites where you have to pay for each message. Scammers pretend to be a real romantic interest to get you to keep sending messages and paying to use their service.

#### **(e) Early access to superannuation scams**

Beware of offers to access your superannuation early. It is illegal to access your superannuation before age 55, at the earliest, except in very special circumstances such as in instances of terminal illness. Some people offer to withdraw your superannuation or move it to a Self-Managed Superannuation Fund. Scammers that promise to help you access your superannuation end up taking it for themselves

## Chapter 5:

# Your right to be free of financial abuse

or taking a large commission once it has been withdrawn or transferred. You may also have to pay tax penalties and be exposed to fines if the scammer has convinced you to sign a false statement. For more information about when you are entitled to your superannuation, read [page 42](#) or contact the Australian Taxation Office Superannuation Info Line.

### **(f) Lottery and prize scams**

Beware of claims that you have won a prize in a lottery or competition that you did not enter. These are designed to trick you into giving your personal and bank account details to scammers. Sometimes you will be told you must provide money to claim your prize. If a prize is legitimate, you should not have to pay anything to collect it. **Remember that you cannot win money in a lottery unless you enter it yourself.**

### **(g) Job and employment scams**

Job and employment scams work by promising you jobs that appear irresistible because they have high pay with little work or offer a guaranteed income. The scammers then take your money by making you pay up-front fees. You should not have to pay up-front fees to take up a job.



## Where to go for more information

Read the Australian Competition and Consumer Commission's (ACCC) The Little Black Book of Scams for more detailed information on scams. Order a free copy by calling the ACCC Infocentre on **1300 302 502**.

Phone the SCAMwatch Infocentre run by the ACCC on **1300 795 995**.

Contact the Australian Taxation Office Superannuation Info Line on **13 10 20**.

## Where to go for help

If you think you have been the victim of a scam, act immediately. Contact your bank. In some circumstances, they may be able to help by suspending your account or taking back a transaction.

Report a scam that has happened to you. This will help authorities find and stop the scammer.

- Report the scam to the SCAMwatch Infocentre on **1300 795 995**; or
- Report the scam to the Australian Securities and Investments Commission (ASIC) by calling **1300 300 630** if the scam relates to superannuation, investment, financial advice, financial products or insurance.

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# Your right to be free of financial abuse

If you are in financial trouble speak to a financial counsellor. Phone the National Helpline on **1800 007 007** to access free financial counselling services.

## 5.3 Protecting yourself from identity fraud

Identity theft is a type of fraud where criminals steal and use your personal identifying information. They then use your identity to spend your money, open bank accounts, take out loans or conduct illegal business under your name. Your identity can be stolen in many ways. Your mail may be stolen or diverted, your rubbish may be searched for bills, or your credit card or bank details skimmed when you make a purchase or use an ATM.

To protect your identity:

- Lock all personal documents in a safe container when not using them;
- Destroy personal information before putting it in the bin;
- Put a lock on your letterbox; and
- Avoid giving personal or financial information over the phone.

Identity fraud can also happen on the internet. For information on how to stay safe online, see [page 180](#).

## Where to go for more information

Read the Australian Government's booklet, *Protecting Yourself Online*. Order by calling Stay Smart Online on **1800 753 178**.

## Where to go for help

Contact local police if you believe you have been a victim of identity theft.

Contact your bank, credit provider or the relevant financial institution and tell them what has happened. They may be able to close any new accounts opened with your details and set up new passwords or accounts.

Inform the relevant agency or business if documents like your driver's licence, passport, tax file number, superannuation or pension details have been stolen.

Contact the SCAMwatch Infocentre if you have been a victim of a scam on **1300 795 995**.

## 5.4 Consumer shopping rights

As a consumer, your rights are protected by Commonwealth and state and territory laws. These rights mean that you are protected from faulty services and products, unsafe products, and misleading claims and advertising.

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# Your right to be free of financial abuse

When you buy products and services they come with consumer guarantees. Products must be safe and they must do what you would normally expect them to do and match descriptions. Services must be provided with acceptable care and skill and be fit for purpose.

You are protected by law from being misled about the products and services you buy. Businesses are not allowed to make statements that are incorrect or likely to create a false impression.

### Where to go for more information

Contact the Australian Competition and Consumer Commission (ACCC). Visit their website at [www.accc.gov.au/consumers](http://www.accc.gov.au/consumers) or phone the ACCC Infocentre on **1300 302 502**.

### Where to go for help or to make a complaint

If your goods or services are faulty, unsafe or you feel you have been misled, contact the retailer or manufacturer.

Contact the ACCC to make a complaint. For more information on how to complain to an industry ombudsman or other third party speak to the ACCC. Phone the ACCC Infocentre on **1300 302 502**.



## Chapter 5:

### Your right to be free of financial abuse



# Your right to work

All people, including older people, have the right to work. This chapter explains your right to work and describes the supports available to help you find work and stay working.

## 6.1 Age discrimination in employment

Older people have the right to continue working without being discriminated against because of their age.

Age discrimination in the workplace occurs if a person is treated less favourably than another person in a similar situation because of their age.

Examples of age discrimination in employment include:

- Being refused training by an employer because it is assumed you will retire soon;

## Chapter 6: Your right to work

- Not being considered for a job because it is assumed you don't have up-to-date skills; and
- Older employees being targeted for redundancies.

In most cases, it is against the law to treat older people differently because of their age.

Discrimination can be lawful in some circumstances. These include when acts are done to comply with Commonwealth, state or territory laws; or when a person's age means they are unable to perform the essential duties of a job.

### **Where to go for more information**

Read the Australian Human Rights Commission's guide, *Know your rights: Age Discrimination*. To order the guide, phone the Commission on **1300 369 711**.

### **Where to go for help or to make a complaint**

If you experience discrimination in employment you may be able to make a complaint.

The Australian Human Rights Commission can investigate the complaint and try to resolve it by conciliation. Call the Complaint Infoline on **1300 656 419**.



Contact the Fair Work Commission on **1300 799 675** for more information or visit their website at [www.fwc.gov.au](http://www.fwc.gov.au).

Fair Work Australia can also hear complaints relating to discrimination in employment. Call the Fair Work Infoline on **13 13 94** or visit their website at [www.fairwork.gov.au](http://www.fairwork.gov.au).

## 6.2 Job seeker services

A number of services are available to help you find work.

**Job Services Australia** is a national network of private, community and government organisations that can help eligible job seekers find work. They offer assistance with writing a resume and can help you develop a plan to find a new job or retrain for a new profession.

Employers also use the internet to find staff. Some websites are especially designed for older job seekers.

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### Where to go for more information

Phone the Department of Education, Employment and Workplace Relations (DEEWR)'s Experience+ Jobs and Training Line on **13 17 64** to access information about jobs and training for people aged 45 and older and for free professional career advice. You can also order a copy of the Experience+ Career Guide for Mature Australians. For more detailed information visit the Experience+ website at [www.deewr.gov.au/experience](http://www.deewr.gov.au/experience).

Contact the Department of Education, Employment and Workplace Relations (DEEWR) Employment Services Information Line on **13 62 68** for general information. The Employment Services Information Line provides information on Job Services Australia providers and Australian JobSearch. If you are unhappy with your Job Services Australia provider you can make a complaint on **13 62 68**.

Visit Australian JobSearch at [www.jobsearch.gov.au](http://www.jobsearch.gov.au) to search online for a job.

Visit [www.olderworkers.com.au](http://www.olderworkers.com.au) to search online for a job with an age-friendly employer.

## 6.3 Education and retraining programs to help you find work

Learning new skills can help you to go further in your career or even begin a new career. You can learn new skills through enrolling in a short course, a vocational education course such as a TAFE course or a higher education degree. Even if you already have a qualification, you may decide to work towards another, targeting your efforts to a changing work environment or to a new career more suited your later life work plans.

It's never too late to learn new things. Older people have exactly the same right to education as younger people. You might think that training institutions and universities are places for younger people, but this is not the case.

You may be eligible for Austudy, which is a Centrelink payment to provide you with financial support while you study.

There are many Universities, Registered Training Organisations (RTOs) Vocational and Education Training (VET) providers and Technical and Further Education (TAFE) providers across Australia.

## Chapter 6: Your right to work

### Where to go for more information

For information on financial support when you study call Centrelink on **13 24 90** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

### Where to go for help

For career advice and information on accessing further education, phone the Experience+ Jobs and Training Line on **13 17 64**.

## 6.4 The Age Pension and work

It is possible to work and still receive the Age Pension. However, there are limits on how much income you can earn before your pension is reduced.

Once you are eligible for the Age Pension, the amount you receive will depend on your income and assets. The income from your work and any other source will be used in the 'income test' to calculate your Age Pension. You are able to earn up to a certain amount per week with no effect on your payment. Any income above this amount will reduce your payment by 50 cents for singles and 25 cents for each member of a couple for each dollar of income.

You may also have access to the Work Bonus which will increase the amount of employment income you can earn before your payment is reduced. See [page 98](#) for more information on the Work Bonus.

## Where to go for more information

Centrelink's Financial Information Service (FIS) can give you information about retirement income options. Phone **13 23 00** and ask to speak to FIS officer. Visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information on the Age Pension and work.

## Where to go for help

Speak to a financial adviser about the balance between working and claiming the Age Pension that works best for you. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

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### 6.5 The Work Bonus

The Work Bonus is an incentive that allows Age Pension recipients to work for short periods of time with little or no effect on pension payments.

The Work Bonus lets you earn up to \$6 500 each year without impacting on your Age Pension. There are rules about how much you can earn each fortnight without impacting on your Age Pension payment. Make sure you talk to a Financial Information Services officer at Centrelink to find out how the Work Bonus can be used to your best advantage.

#### **Where to go for more information**

Centrelink's Financial Information Service (FIS) can give you more information about working while receiving the Age Pension. Phone **13 23 00** and ask to speak with a FIS officer. Visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information on the Work Bonus.

#### **Where to go for help**

Speak to a financial adviser about the balance between working and claiming the Age Pension that works best for you. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

## 6.6 Superannuation entitlements while working

At a certain age you have the right to access your superannuation while you are still working. The age at which you can access your superannuation depends on the year you were born. The superannuation access age is known as your 'preservation age'. Your preservation age is between 55 and 60 years. See [page 43](#) to find out when you can access your superannuation.

Once you have reached your preservation age, you can access part of your superannuation as you work by drawing it as a regular payment to supplement your wages. You can also pay part of your salary back into your superannuation fund.

This process is sometimes called transitioning to retirement.

## Chapter 6: Your right to work

If you are aged 65 or under and still working, you can withdraw up to a maximum of 10 percent of your superannuation account balance each financial year as part of this scheme. Check with your superannuation fund to find out if it offers a transition to retirement option. You may need to change funds if you want to access this option, as not all funds allow you to do this.

The rules for transitioning to retirement are complex. You should seek financial advice if you are thinking about taking up this option.

Remember that your superannuation savings are limited by the amount you have saved. If you take out money earlier, you may have less for later in life.

The pros and cons of transitioning to retirement are explained in the booklet, *Financial Decisions at Retirement*, produced by ASIC's MoneySmart. You can view this booklet on ASIC's MoneySmart website [www.moneysmart.gov.au](http://www.moneysmart.gov.au) or order a copy by calling the ASIC Infoline on **1300 300 630**.



## Where to go for more information

Contact your superannuation fund to find out the options that are available to you.

Contact the Australian Taxation Office Superannuation Info Line for more information about when you are allowed to access your superannuation. Phone **13 10 20**.

Speak to the National Information Centre for Retirement Investments (NICRI) about transitioning to retirement on **1800 020 110**.

Visit ASIC's MoneySmart website at [www.moneysmart.com.au](http://www.moneysmart.com.au) or read their booklet, Financial Decisions at Retirement. Order a copy by calling the ASIC Infoline **1300 300 630**.

## Where to go for help

Speak to a financial adviser about whether accessing a superannuation pension while working would suit you. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

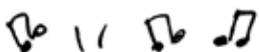
ULTRA  
HIP  
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NO OLDIES ALLOWED



Titanium  
HIP  
CLUB

EVERYONE WELCOME!



# Your right to health

Older people have the right to enjoy the highest possible standard of physical and mental health. To achieve this, older people have rights to access quality health care services. This chapter explains the services and subsidies available to you.

## 7.1 Access to basic healthcare services and Medicare

Medicare entitles eligible people to free or subsidised health care, including treatment by general practitioners, specialists, optometrists, dentists, and in some circumstances, allied health practitioners.

Eligibility for Medicare is generally restricted to people who permanently reside in Australia and are Australian citizens, New Zealand citizens, permanent visa holders, or in certain circumstances, applicants for permanent residence visas.

## Chapter 7: Your right to health

Medicare entitlements include free treatment and accommodation as a public patient in a public hospital and subsidised medicines through the Pharmaceutical Benefits Scheme.

As a public hospital patient funded through Medicare you are not able to choose your doctor or surgeon. Outside of the hospital system, people can choose their own doctor.

People covered by private health insurance are able to select their hospital doctor or surgeon. Medicare also provides a level of subsidy for private hospital services and for out-of-hospital services such as consultations with general practitioners or specialists.

People who are eligible for Medicare are also eligible for medical treatment in countries with which Australia has a reciprocal health care agreement. Australia currently has reciprocal agreements with eleven countries: the United Kingdom, New Zealand, Ireland, the Netherlands, Italy, Malta, Sweden, Finland, Norway, Belgium, and Slovenia.

## Where to go for more information

Phone Medicare on **132 011**, or go to [www.humanservices.gov.au/medicare](http://www.humanservices.gov.au/medicare) for more information.

To find a doctor, pharmacy, or hospital near you, visit the National Health Services Directory at [www.nhsd.com.au](http://www.nhsd.com.au).

***Healthdirect Australia*** is a telephone health advice line available 24-hours a day, seven days a week. You can call **1800 022 222** at any time to speak to a registered nurse.

The ***after-hours GP helpline*** is an extension of ***healthdirect Australia***. Based on the caller's symptoms, the registered nurse can transfer the caller to an after-hours GP. Call **1800 022 222**.

For quality information about health matters, visit [www.healthinsite.gov.au](http://www.healthinsite.gov.au).

## Chapter 7: Your right to health

### Where to go for help or to make a complaint

If you have a complaint about any services provided by a health professional or hospital, contact the relevant office in your state or territory:

ACT	Health Services Commissioner, ACT Human Rights Commission	02 6205 2222
NSW	Health Care Complaints Commission	1800 043 159 or 02 9219 7444
NT	Health and Community Services Complaints Commission	1800 004 474 or 08 8999 1969
QLD	Health Quality and Complaints Commission	1800 077 308 or 07 3120 5999
SA	Health and Community Services Complaints Commissioner	1800 232 007 or 08 8226 8666
TAS	Health Complaints Commissioner	1800 001 170 or 1300 766 725
VIC	Health Services Commissioner	1800 136 066 or 03 8601 5200
WA	Health and Disability Services Complaints Office	1800 813 583 or 08 6551 7600

You can make a complaint about Medicare to the Commonwealth Ombudsman on **1300 362 072**.

WELL, NO, THERE'S NO CURE FOR  
ADULT-ONSET AGEING, BUT THE  
GOOD NEWS IS, IT'S ENTIRELY  
NATURAL...



## Chapter 7: Your right to health

### 7.2 Concessions on medicines and other health related expenses

The majority of older Australians are entitled to concessions to reduce the cost of buying medicines, and other health-related expenses.

#### **(a) Pharmaceutical Benefits Scheme (PBS)**

The Pharmaceutical Benefits Scheme (PBS) helps to cover the cost of prescription medicines.

If you have a Medicare card, you can get prescription medicines under the PBS at a subsidised cost.

Over 2 600 medicines are covered under the PBS. However, if your doctor writes a non-PBS (private) prescription, you will need to pay the full price for the medicine.

If you need a lot of prescription medicine and you or your family reach the PBS Safety Net threshold, you may be able to receive a PBS Safety Net card from your pharmacist. Under the PBS Safety Net, your medicines will be less expensive or free for the rest of the calendar year.

Make sure you show a valid Medicare card (and a concession card if you have one) every time you get a prescription filled. Ask for cheaper brands – all brands of the same medicine have the same active ingredients, even though they may look different.



## **(b) Commonwealth Seniors Health Card**

The Commonwealth Seniors Health Card is for Australians who have reached Age Pension age, but do not receive a Centrelink payment. Eligibility depends on your annual income. This card may entitle the holder to additional refunds for medical expenses, and greater discounts on prescription medicines.

## **(c) Pensioner Concession Card**

The Pensioner Concession Card is for recipients of the Age Pension. It is also available to people receiving some other payments, including Carer Payment and the Disability Support Pension.

A Pensioner Concession Card entitles you to reduced-cost medicines under the Pharmaceutical Benefits Scheme.

- You may also be entitled to various concessions from the Australian Government. These could include:
- Bulk billing for doctor's appointments (this is your doctor's decision);
- More refunds for medical expenses through the Medicare Safety Net;

## Chapter 7: Your right to health

- Assistance with hearing services through the Office of Hearing Services; and
- Discounted mail redirection through Australia Post.

You may get some of these Australian Government concessions for a dependent child.

You may also be entitled to various concessions from state and territory governments and local councils—these could include:

- Reductions on property and water rates;
- Reductions on energy bills;
- Reduced fares on public transport;
- Reductions on motor-vehicle registration; and
- Free rail journeys.

Pensioner Concession Card concessions are different in each state and territory and vary between local councils.

### **(d) The Extended Medicare Safety Net**

The Extended Medicare Safety Net (EMSN) provides additional Medicare benefits for Australian families and singles who have out-of-pocket costs for Medicare-eligible out-of-hospital services. An annual

threshold of out-of-pocket costs must be met to be eligible for the EMSN.

EMSN applies to out-of-hospital services including GP and specialist attendances, as well as many pathology and diagnostic imaging services. Once a relevant annual threshold has been met, Medicare will pay for 80 percent of any further out-of-pocket costs for the remainder of the calendar year, except for services where an upper limit or 'EMSN benefit cap' applies. Services include consultations and a number of procedures and diagnostic imaging services.

Eligibility for the Extended Medicare Safety Net is calculated automatically by the Department of Human Services. Families can register with the Department of Human Services so that their combined out-of-pocket costs count towards their relevant threshold. Singles do not need to register.

## **Where to go for more information**

Visit the Department of Human Services website at [www.humanservices.gov.au/pbs](http://www.humanservices.gov.au/pbs) or call the PBS Information Line on **1800 020 613** for more information on the PBS.

Call Centrelink on **13 23 00**, or visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for information on concession cards.

## Chapter 7: Your right to health

For more information, or to register your family for the Extended Medicare Safety Net, contact the Department of Human Services. Call **132 011**, or visit [www.humanservices.gov.au](http://www.humanservices.gov.au).

### **Where to go for help or to make a complaint**

Call the Department of Human Services Feedback and Complaints Line on **1800 132 468** to make a complaint about Centrelink or Medicare services.

You can also contact the Commonwealth Ombudsman on **1300 362 072**.

### **7.3 Payments to help with medical costs**

If you receive income support from Centrelink, you may be entitled to further payments to help with medical costs.

#### **(a) Pharmaceutical allowance**

The pharmaceutical allowance is a fortnightly allowance to assist with the cost of buying prescription medicines. It is only available to those under Age Pension age who receive certain types of Centrelink payments. Eligibility is automatically assessed.

## **(b) Essential medical equipment payment**

The essential medical equipment payment is an annual payment made to eligible people who experience increased home energy costs from the use of essential medical equipment such as an electric wheelchair, heart pump, or insulin pump.

## **(c) Continence aids payment scheme**

The continence aids payment scheme is an annual payment to help eligible people with permanent and severe incontinence with the costs of incontinence products.

## **Where to go for more information**

Phone Centrelink's Disability and Carers line on **132 717**, or go to [www.humanservices.com.au](http://www.humanservices.com.au) for more information.

Call the National Continence Helpline for more information on continence matters and the continence aids payment scheme on **1800 33 00 66**.

## Chapter 7: Your right to health

### 7.4 Private health insurance

Private health insurance can give you more extensive and flexible access to health care services.

You must pay premiums in order to be covered by private health insurance. If eligible, you may be able to receive a government rebate of up to 40 percent of your private health care costs, depending on your age and income.

Sometimes older people experience trouble with insurers because insurers believe they are too old. The law ensures that private health insurance cover is available to you if you choose it irrespective of your age or any chronic health conditions you may have. Insurers must also charge everyone the same premium for the same insurance policy. However, insurers may impose waiting periods. This means that if you have a pre-existing condition, you may not be able to claim on your private health insurance for up to 12 months. Be sure to seek more information on your rights, or make a complaint if you think you may be experiencing a problem with private health insurance.

You can transfer between insurers to a similar level of cover for hospital treatment without having to re-serve waiting periods. However, it is important to check carefully as normal waiting periods apply for higher

benefit levels or for additional services that were not available under the previous policy.

## Where to go for more information

Visit the Private Health Insurance Ombudsman's consumer information website at [www.privatehealth.gov.au](http://www.privatehealth.gov.au) The Ombudsman is an independent service to help consumers with health insurance problems and enquiries. This site provides detailed information on each private health insurance product available in Australia, as well as general information on how private health insurance works. Phone **1300 737 299** for more information about private health insurance.

The Private Health Insurance Administration Council is an independent Statutory Authority that regulates the private health insurance industry. Visit their website at: [www.phiac.gov.au/consumers](http://www.phiac.gov.au/consumers).

For more information on the private health insurance rebate, call Medicare on **1300 554 463**, or visit the Department of Human Services' website at: [www.humanservices.gov.au/privatehealth](http://www.humanservices.gov.au/privatehealth).

## Where to go for help or to make a complaint

You can make a complaint about any matter related to private health insurance to the Private Health Insurance Ombudsman by calling **1800 640 695**.

## Chapter 7: Your right to health

### 7.5 Preventative care

Various preventative health care services are available for older Australians including immunisations and screenings.

#### **(a) Flu immunisations**

Annual flu immunisations are available free for all Australians 65 and older through your doctor or immunisation provider.

#### **(b) Pneumonia immunisation**

Pneumonia immunisation is available free for all Australians over 65 through your doctor or immunisation provider.

#### **(c) National Bowel Cancer Screening Program**

The National Bowel Cancer Screening Program is available free to Australians turning 50, 55, 60, or 65 years old. Speak to your doctor.

#### **(d) Breast Cancer Screening**

Breast Cancer Screening is free for all women over the age of 40. Mammograms are encouraged every two years between the ages of 50 and 75. Regular reminders will stop when you are aged 75, however you can discuss your ongoing needs for screening with your doctor.



## **(e) Cervical Cancer Screening**

The National Cervical Cancer Screening Program encourages women to have a free pap smear every two years up until the age of 69. Regular reminders will stop when you are aged 70; however, you can discuss your ongoing needs for screening with your doctor.

### **Where to go for more information**

Phone the Immunise Australia Information Line on **1800 671 811**.

Phone the National Bowel Cancer Screening Program information line on **1800 118 868**.

Contact BreastScreen Australia on **13 20 50**.

Phone the Cervical Cancer Screening Information Line on **13 15 56**.

## **7.6 Palliative Care**

Palliative care is the care provided to people of all ages who have a life-limiting illness with little or no prospect of cure. The primary treatment goal of palliative care is to maintain a quality of life. This type of care involves managing pain and other symptoms while also addressing the physical, emotional, cultural, social, and spiritual needs of the person, their family, and their carers.

## Chapter 7: Your right to health

### Where to go for more information

Your doctor can offer further information on palliative care.

The Australian Palliative Care Knowledge Network (CareSearch) is an online resource with palliative care information and evidence for researchers, health professionals, patients and their families, and the general public. Visit [www.caresearch.com.au](http://www.caresearch.com.au) or phone **08 7221 8233**.

Palliative Care Australia has a set of detailed brochures on palliative care that are available in a number of languages. Phone **1800 660 055**.

You can also use the National Palliative Care Service Directory. To search online for palliative care services near you, visit [pallcare.gky.com.au/c/pc](http://pallcare.gky.com.au/c/pc).

Life Circle provides telephone counselling, mentoring, and ongoing support to people facing a terminal illness, and their families. They also have a series of help sheets. Phone the LifeCircle HOPELINE on **1300 364 673**.





# Your right to aged care

Ageing may bring with it new challenges. Illness, disability and reduced mobility can make daily life more difficult without assistance. You have a right to information about aged care services and to an assessment of your care needs and eligibility for Australian Government funded services. This chapter explains the different kinds of care services funded by the Australian Government and available through local care providers.

## 8.1 Short term care: Transition Care and Respite Care

Short-term care services are available to older people who require temporary care after a stay in hospital. It is also available to people who need a break from their current home care arrangements, or for people who have a carer who needs a break.

## Chapter 8: Your right to aged care

### **(a) Transition Care**

Transition Care can be accessed for up to 12 weeks to provide you with low intensity therapy and personal or nursing care after a hospital stay. This can be in your home or in a residential setting. You need to be approved by an Aged Care Assessment Team to be eligible. Care is subsidised but you may be charged a maximum fee of up to 17.5 percent of your pension in a community setting or 85 percent of your pension in a residential setting. What you are charged always depends on your ability to pay.

### **(b) Respite Care**

If you or your carer needs a break, you can access Respite Care. Respite Care services are available in your home; in a community setting under the National Respite for Carers Program; or in an aged care home.

### **Where to go for more information**

For more information on short term care call **1800 200 422** or visit [www.myagedcare.gov.au](http://www.myagedcare.gov.au).

For information about carer support and respite contact the Commonwealth Respite and Carelink Centre on **1800 052 222** during business hours or **1800 059 059** for after-hours emergency respite assistance.

## Where to go for help or to make a complaint

To make a complaint, contact the Aged Care Complaints Scheme on **1800 550 552**.

Contact the National Aged Care Advocacy Program to access more information about your rights or how to make a complaint.

ACT	02 6242 5060
NSW Country and Regional callers	1800 424 079
NSW Sydney callers	02 9281 3600
NT	08 8982 1111
QLD	1800 818 338
QLD Brisbane callers	07 3637 6000
SA	08 8232 5377
TAS	03 6224 2240
VIC	03 9602 3066
WA	08 94797566
All other regional and country callers	1800 700 600

To take a complaint further, contact the Aged Care Commissioner on **1800 500 294**.

## Chapter 8: Your right to aged care

### 8.2 Aged care at home: The Commonwealth HACC Program

You have a right to seek access to aged care services that will help you remain in your home for as long as possible. Different programs are available. The program that is right for you will depend on the level of care that you require.

#### **(a) Commonwealth HACC Program**

You can access individual care services to support you to stay at home through the Commonwealth HACC Program in all states except Victoria and Western Australia. In Victoria and Western Australia basic care service are delivered under the state Home and Community Care (HACC) Program. These services support older Australians to be more independent at home and in the community and may include:

- Nursing care;
- Allied health services like podiatry, physiotherapy and speech pathology;
- Domestic assistance including help with cleaning, washing and shopping;
- Personal care;
- Social support;



- Home maintenance and modifications;
- Assistance with food preparations in the home;
- Delivery of meals;
- Transport;
- Assessment, client care, coordination and case management;
- Counselling, information and advocacy services
- Centre based day care; and
- Support for carers including respite services.

You can access Commonwealth HACC services if you are aged 65 years and over (or 50 years and over if you are Aboriginal or Torres Strait Islander), live in the community, and are at risk of needing to go into long term residential care. Fees may apply to use HACC services.

## **Where to go for more information**

For more information on the Commonwealth HACC program and HACC services in Victoria and Western Australia, please call **1800 200 422** or visit [www.myagedcare.gov.au](http://www.myagedcare.gov.au).

## **Where to go for help or to make a complaint**

To make a complaint contact the Aged Care Complaints Scheme on **1800 550 552**.

## Chapter 8: Your right to aged care

Contact the National Aged Care Advocacy Program for more information about your rights and to find out how to make a complaint.

ACT	02 6242 5060
NSW Country and Regional callers	1800 424 079
NSW Sydney callers	02 9281 3600
NT	08 8982 1111
QLD	1800 818 338
QLD Brisbane callers	07 3637 6000
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TAS	03 6224 2240
VIC	03 9602 3066
WA	08 94797566
All other regional and country callers	1800 700 600

To take a complaint further, contact the Aged Care Commissioner on **1800 500 294**.

### 8.3 Home Care Packages

Home Care Packages provide you with care whilst remaining in your own home. These packages of care are suited to people who require coordinated

or comprehensive arrangements to stay at home. A service provider will create a package of services that are tailored to meet your needs. You can negotiate with the provider on the types and levels of care. The services you can access through these packages include:

- Personal care;
- Nursing and allied health;
- Social support;
- Transport to appointments;
- Home help, including cleaning and gardening;
- Home maintenance and minor modifications to the home; and
- Respite.

You will need to be assessed by an Aged Care Assessment team to be eligible to receive a Home Care Package.

From 1 August 2013 four different levels of home care will be available; each caters for a different level of care needs.

- Home Care Level 1: basic level care needs
- Home Care Level 2: low level care needs
- Home Care Level 3: intermediate care needs
- Home Care Level 4: high level care needs

## Chapter 8: Your right to aged care

Some Home Care Packages are delivered on a Consumer Directed Care basis, which allows you a greater degree of choice over the types of services you access, and how those services are delivered.

### **(a) Dementia and Cognition Supplement**

From 1 August 2013, people with dementia or cognitive impairment will be supported through an additional Dementia and Cognition Supplement payment at each level of Home Care. This payment is made to your home care provider if you are eligible.

From 1 August 2013, people receiving Community Aged Care Package (CACP), Extended Aged Care at Home (EACH) and Extended Aged Care at Home Dementia (EACHD) packages will automatically transfer to the Home Care Packages program. CACP recipients will become Home Care level 2 recipients and EACH and EACHD recipients will become Home Care level 4 recipients. The Dementia and Cognition Supplement will automatically be provided to people on EACHD packages.

### **(b) Home Care Package Fees**

Pensioners may be asked to pay a basic fee of up to 17.5 percent of the Age Pension rate. Those on a higher income may be asked to pay a higher fee, up to 50 percent of income above the basic pension.

A consumer's access to a care package must not be affected by their ability to pay fees, but should be based on the need for care, and the capacity of the approved provider to meet that need.

## Where to go for more information

For more information call **1800 200 422** or visit [www.myagedcare.gov.au](http://www.myagedcare.gov.au).

## Where to go for help or to make a complaint

To make a complaint contact the Aged Care Complaints Scheme on **1800 550 552**.

Contact the National Aged Care Advocacy Program to access more information on your rights and how to make a complaint.

ACT	02 6242 5060
NSW Country and Regional callers	1800 424 079
NSW Sydney callers	02 9281 3600
NT	08 8982 1111
QLD	1800 818 338
QLD Brisbane callers	07 3637 6000
SA	08 8232 5377
TAS	03 6224 2240

## Chapter 8: Your right to aged care

VIC	03 9602 3066
WA	08 94797566
All other regional and country callers	1800 700 600

To take a complaint further, contact the Aged Care Commissioner on **1800 500 294**.

### 8.4 Residential Aged Care

Some older people are unable to live at home and must move into a residential aged care home. Some homes may provide special programs for particular conditions. Residential aged care is available for people with different levels of care needs, catering for people who are semi-independent through to people with high-care needs. The care and services you receive will be appropriate and adapted to your needs.

Services include:

- Accommodation;
- Meals;
- Personal assistance including help with showering and dressing; and
- Nursing care and other services.

Some residential aged care homes provide special programs for people with particular circumstances such as homes specialising in the provision of care to veterans.

You can choose a preferred residential aged care service and work with the provider to tailor the care you receive to meet your needs.

### **(a) Residential Aged Care Fees**

Residential aged care services will charge a range of fees and charges depending on the accommodation and services being provided. The fee that you pay will also depend on your ability to pay.

There are hardship provisions to protect residents who cannot afford to pay.

To access residential aged care you will need to have your care needs assessed by an Aged Care Assessment Team.

### **Where to go for more information**

For more information call the **1800 200 422** or visit [www.myagedcare.gov.au](http://www.myagedcare.gov.au).

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### Where to go for help or to make a complaint

To make a complaint contact the Aged Care Complaints Scheme on **1800 550 552**.

Contact the National Aged Care Advocacy Program for more information on your rights and how to make a complaint.

ACT	02 6242 5060
NSW Country and Regional callers	1800 424 079
NSW Sydney callers	02 9281 3600
NT	08 8982 1111
QLD	1800 818 338
QLD Brisbane callers	07 3637 6000
SA	08 8232 5377
TAS	03 6224 2240
VIC	03 9602 3066
WA	08 94797566
All other regional and country callers	1800 700 600

To take a complaint further, contact the Aged Care Commissioner on **1800 500 294**.



## 8.5 Your rights to care at home and residential aged care

All those who receive Commonwealth funded aged care, whether at home or in residential care, have a right to receive quality care. Your service provider must meet standards of quality set by the Australian Government.

If you are receiving a Commonwealth funded Home Care Package, your rights and responsibilities are set out in the Charter of Rights and Responsibilities for Home Care. If you are in residential care, your rights are set out in the Charter of Residents' Rights and Responsibilities. You have the right to:

- Be treated with dignity;
- Have your privacy respected;
- Receive care without feeling obliged to feel grateful to those providing the care;
- Be involved in choosing the care that best meet your assessed needs from the services available; and
- Access information about your rights and information about yourself.

## Chapter 8: Your right to aged care

### **Where to go for more information**

Order copies of the Charter of Rights and Responsibilities for Home Care or the Charter of Residents' Rights and Responsibilities by contacting **1800 200 422**.

### **Where to go for help or to make a complaint**

If you have a concern about the care that you or someone else is receiving you have the right to make a complaint without being afraid that you will lose your care or be disadvantaged in any other way. In the first instance it is recommended that you raise any concerns with your service provider.

If you are unable to resolve your complaint, you could contact the Aged Care Complaints Scheme. This is a free service for people to raise their concerns about aged care services. Concerns may include quality of care, choice of activities, personal care, catering, communication or the physical environment.

Contact the Aged Care Complaints Scheme on **1800 550 552**.

Contact the National Aged Care Advocacy Program to access more information on your rights and how to make a complaint.

ACT	02 6242 5060
NSW Country and Regional callers	1800 424 079
NSW Sydney callers	02 9281 3600
NT	08 8982 1111
QLD	1800 818 338
QLD Brisbane callers	07 3637 6000
SA	08 8232 5377
TAS	03 6224 2240
VIC	03 9602 3066
WA	08 94797566
All other regional and country callers	1800 700 600

To take a complaint further, contact the Aged Care Commissioner on **1800 500 294**.

The Aged Care Standards and Accreditation Agency on **1800 288 025** can be contacted regarding quality and standards of care in residential care until 1 January 2014 and in home care until 1 July 2014. After this date, you should contact the Australian Aged Care Quality Agency.



HOME  
SWEET  
AGED CARE  
HOME

# Your right to choose where you live

You have the right to choose where you live. As you grow older, your housing needs may change. For example, you may become less independent, choose to downsize, or have a desire to live closer to family. Know your rights in each of these situations. This chapter provides information about the different housing options available in retirement.

## 9.1 Staying at home: finance options

If you would like to remain living in your existing home but do not think you can afford this, there are alternatives to selling that may help you to keep your home. Be aware that these options may affect your Age Pension. They may also affect how much tax you pay.

## Chapter 9:

# Your right to choose where you live

The following three options may provide additional income for people who would like to stay in their home:

- **Dual occupancy:** It may be possible to convert your home into two residences. You can then rent out or sell the other half of your home.
- **Boarders and lodgers:** It may be possible to rent out rooms to boarders. These arrangements may affect your Age Pension and how much tax you pay.
- **Reverse mortgages:** A reverse mortgage allows you to borrow against the equity in your home whilst still living at home. A reverse mortgage will reduce the equity that you have in your home. Read [page 63](#) for important information on reverse mortgages.

### Where to go for more information

For information about accommodation for older people and how different options will affect your income support payments, contact Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak to a FIS officer.

## Where to go for help

Speak to a financial adviser for advice about the tax implications of generating income from your home. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

## 9.2 Staying at home: home modifications and maintenance

Modifications to your home can help you remain independent. Modifications can include installing grab-rails in the bathroom, lever taps or access ramps.

Maintenance services can help you with tasks like gardening and lawn mowing. You can also install personal and medical alarms. Compare the cost of renovations and modifications against other options such as moving elsewhere, especially if your needs will soon change. Plan carefully to reduce the number of moves you may need to make.

## Chapter 9:

# Your right to choose where you live

### Where to go for more information

Read the Department of Families, Housing Community Services and Indigenous Affairs' booklet *Accommodation Choices for Older Australians and their Families: What Older Australians and their Families Need to Know*. To order a copy phone **1800 050 009** or view online at [www.fahcsia.gov.au](http://www.fahcsia.gov.au).

### Where to go for help

Independent Living Centres Australia provides advice on renovations, equipment and aids that can make living at home easier. Phone their National Infoline on **1300 885 886**.

Commonwealth aged care programs provide services to help you stay at home including home modifications and maintenance. Call the Commonwealth Home and Community Care (HACC) Program on **1800 200 422** or the Commonwealth Respite and Carelink Centre on **1800 052 022**.



Some states and territories offer additional assistance:

NSW	Home Modification and Maintenance Services	02 6622 8386
NT	Community Adult Health Team	08 8922 7180
QLD	Home Assist Secure, Department of Housing and Public Works	1300 880 882
VIC	Archicentre Home Services, Home Renovation Service	1300 136 513

## 9.3 Selling your home

Some older people consider selling the family home because they need a smaller residence or because they want to move to a retirement village or a residential care home. Some older people move in with family members for additional support. Selling the family home can provide some financial benefit because it may free up the equity in the family home.

Selling your home may affect your Age Pension entitlements. When you qualify for the Age Pension, your home is not counted as an asset. However, if you make a profit when you sell your home and downsize to a cheaper option, some of the profit may be taken into account when Centrelink calculates your Age Pension.

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# Your right to choose where you live

Between July 2014 and June 2017, pensioners over Age Pension age who 'downsize' their home will be exempt from the assets test on some of the profit from selling the family home.

Eligible pensioners must:

- Downsize their home between 1 July 2014 and 30 June 2017;
- Have had a minimum residence period in their former home of 25 years before sale; and
- Invest either \$200,000 of the excess proceeds OR a minimum of 80 percent of the excess proceeds subject to a maximum of \$200,000 in a special account.

'Downsizing' refers to situations where the price of the new home in Australia is lower than the sale price of their former home in Australia.

The funds invested in the special account and any returns would not be counted under the pension means test for a maximum of 10 years.

Pensioners who sell to purchase another home may be exempt from the asset test for up to 12 months if money from the sale of the family home is being used to purchase a new home.

Sometimes it is necessary to free up the income in the family home by selling it; even if this affects your

Age Pension. Everyone's circumstances are different. Make sure you seek advice about how selling your home will affect you.

## Where to go for more information

Contact the Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak to a FIS officer.

Phone the ASIC Infoline on **1300 300 630**.

## Where to go for help

You will need to seek legal advice if selling your home. The law society in your state or territory can help you to find a private solicitor or refer you to a community legal centre.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

### 9.4 Moving in with family

As you get older you may consider moving in with a family member, either in their home or in a granny flat on their property. You might also consider making a financial contribution in exchange for the right to live with family. A few simple precautions may prevent you from losing your money or your share in a property if things don't work out with these living arrangements.

- **Get it in writing:** If you contribute money or assets to a granny flat that belongs to someone else, draw up an agreement as proof that you own part of the property.
- **Get independent legal advice:** Seek advice from a lawyer who is not also advising your family.
- **Create a back-up plan:** Think about what will happen to you if things go wrong, for example, if a relationship breaks down between you and your family or if there is a relationship breakup between your family member and their partner.
- **Find out if your Age Pension will be affected:** Changing your living arrangements may affect your pension entitlements. Centrelink has special rules for granny flat arrangements. Centrelink's 'gifting rules' can apply if you contribute too much for your granny flat.

## Where to go for more information

Read the Department of Families, Housing Community Services and Indigenous Affairs' booklet, *Accommodation Choices for Older Australians and their Families: What Older Australians and their Families Need to Know*. To order a copy phone **1800 050 009** or view online at [www.fahcsia.gov.au](http://www.fahcsia.gov.au).

Contact Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak with a FIS officer.

## Where to go for help

Contact Legal Aid in your state or territory for legal information, referrals, and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555

## Chapter 9: Your right to choose where you live

Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

The law society in your state or territory can help you to find a private solicitor or refer you to a community legal centre.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## 9.5 Retirement village arrangements and fees

Retirement villages are communities of residents who live in individual premises sharing common facilities. Retirement villages may consist of self-care (Independent Living Units) or serviced units (Assisted Living) or both. Some have links with residential aged care homes. If you move from one type of accommodation to another you may have to enter into a new contract and this may have an associated cost.

The fees charged in retirement villages can be complicated. You are usually required to pay an entry contribution. This could be as much as the purchase price of a unit, or much less. Be aware that if you have paid an entry contribution, you do not necessarily own your unit or home.

You will also need to pay ongoing service charges for services and facilities. Make sure you know what you will have to pay and when these charges can be increased.

You may be required to pay an 'exit fee', 'departure fee' or 'deferred management fee' (DMF) to leave the village. This fee can add up to tens of thousands of dollars. You may also have to pay a refurbishment fee. The retirement village may also be entitled to some of the capital gains of your property if the residence

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# Your right to choose where you live

is yours to sell. When you leave, the operator may also have to pay you 'exit entitlements' or refund your entry contribution. Find out what you will have to pay and what you can receive if you leave the village.

Moving into a retirement village may affect your Age Pension entitlements.

A retirement village transaction is usually different to an ordinary real estate transaction. You will only own your unit or home if it is a strata title retirement village. There are many different types of retirement villages and the minority are strata title.

Residents of a retirement village can form a 'Residents' Committee' to oversee how the village operator spends money in the village. There are certain decisions that an operator cannot make without residents' consent.

Get legal advice about the contract and disclosure statement. Find a solicitor who is familiar with retirement villages. They can explain to you all the fees and charges and whether you will own your property. Ask them to explain the pros and cons of your contract.

Many are happy with their decision to move to a retirement village and find the lifestyle very suitable. Ensure your decision is fully informed so you do not have the upheaval of moving again.



## Where to go for more information

Read the Department of Families, Housing Community Services and Indigenous Affairs' booklet *Accommodation Choices for Older Australians and their Families: What Older Australians and their Families Need to Know*. Copies are available by calling **1800 050 009** or online at [www.fahcsia.gov.au](http://www.fahcsia.gov.au).

Speak to the association for retirement village residents in your state or territory. These organisations represent the residents of retirement villages and are run by fellow residents.

ACT	ACT Retirement Villages Residents Association	02 6230 0460
NSW	Retirement Village Residents Association	1300 787 213
Qld	Association of Residents of Queensland Retirement Villages	0424 251 646
SA	South Australian Retirement Village Residents Association	08 8232 0422
Vic	Residents of Retirement Villages of Victoria	03 9015 8402
WA	Retirement Complexes Residents Association	0448 812 888

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To find out how your Age Pension may be affected, contact Centrelink's Financial Information Service (FIS) on **13 23 00** and ask to speak with a FIS officer.

## Where to go for help or to make a complaint

Each state or territory has its own legislation regarding retirement villages. To make a complaint or to obtain further information on dispute resolution, ring the service in your state or territory.

ACT	Fair Trading, Office of Regulatory Services	02 6207 3000
	A.C.T. Civil and Administrative Tribunal	02 6207 1740
NSW	Office of Fair Trading Specialist Support Unit	1800 625 963
NT	Consumer Affairs	1800 019 319
Qld	Residential Services Unit, Department of Housing and Public Works	07 3008 5824
	Queensland Civil and Administrative Tribunal	1300 753 228
SA	Disability, Ageing and Carers, Department of Families and Communities	08 8204 2420
	Residential Tenancies Tribunal	131 882
Tas	Consumer Affairs and Fair Trading	1300 65 44 99

Vic	Consumer Affairs Victoria	1300 55 81 81
	Residential Tenancies List, Victorian Civil and Administrative Tribunal	03 9628 9800
WA	Seniors' Housing Centre, Department of Commerce	1300 367 057
	Retirement Villages Disputes Tribunal	08 9219 3111

Find a solicitor with experience in retirement village contracts by contacting the law society in your state or territory.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

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# Your right to choose where you live

## 9.6 Moving into residential aged care

At a certain point, some people move to a residential care home in order to receive the care that is appropriate to their needs.

In addition to accommodation, residential care homes provide meals, cleaning, nursing and assistance with personal care like showering and dressing.

Your eligibility to enter residential aged care is based on your care needs as assessed by an Aged Care Assessment Team.

Moving into residential aged care can affect your Age Pension payments. Generally, when you live in your family home, it is not counted under the Age Pension assets test. This exemption to the assets test continues for the first two years after moving to residential aged care. At the end of the two years, the value of your former home is included in your assets. In some circumstances, this two-year period can be extended.

If you pay a lump sum accommodation bond when you move into a residential aged care home, this bond is not counted in the Age Pension assets test. The bond is exempt until it is refunded to you, your estate, or when you leave aged care.

For more information on residential care see [pages 130 to 132](#).

## **Where to go for more information**

Phone My Aged Care on **1800 200 422** or visit the My Aged Care website at [www.myagedcare.gov.au](http://www.myagedcare.gov.au).

Phone Centrelink on **13 23 00** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

## **Where to go for help or to make a complaint**

Contact the Aged Care Complaints Scheme on **1800 550 552**. See [page 133](#) for more information on your rights in aged care and how to make a complaint.



MART

# Your right to be free from violence and abuse

You have a right to feel safe and to be treated with dignity. This chapter provides information about staying safe and avoiding violence and abuse in retirement.

## 10.1 Help if you are experiencing violence or abuse

Some older people do not feel safe because they experience violence, abuse or harassment from a family member, partner, neighbour, carer, friend or anyone else. Abuse can come in many forms. It may

## Chapter 10:

# Your right to be free from violence and abuse

be verbal harassment, neglect of a person's needs, restraining through over-medicating or physical restraint. In some cases it may include hitting or slapping or other forms of physical abuse.

None of this abuse is acceptable and you should seek help if you or someone you know is experiencing these things.

If you or someone you know experiences violence or abuse, you should contact the police immediately. Support is available.

You can also contact specialist elder abuse services. These are free and confidential and can give you more information and help you to speak out. You can also speak to your doctor and access counselling services.

### **Where to go for help**

If you experience violence or feel under threat call **000**.

To report violence or abuse, contact your local police station.



The following services provide free specialist services for victims of elder abuse and are the best source for more information. Some of these services provide advocacy and legal support. All can give you more information on how to access further support.

ACT	Older Persons Abuse Prevention Referral and Information Line	02 6205 3535
NSW	NSW Elder Abuse Helpline	1800 628 221
	The Older Persons' Legal Service	1800 424 079 or 02 9281 3600
NT	Aged and Disability Rights Team, Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Elder Abuse Prevention Unit Helpline	1300 651 192
	Seniors Legal and Support Service, Caxton Legal Centre	07 3214 6333
SA	Aged Rights Advocacy Service	08 8232 5377
Tas	Tasmanian Elder Abuse Helpline, Advocacy Tasmania	1800 441 169 or 03 6237 0047
Vic	Seniors Rights Victoria	1300 368 821
WA	Advocare	1800 655 566 or 08 9479 7566

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Phone the National Sexual Assault, Domestic and Family Violence Counselling Line 24 hours a day on **1800 737 732 (1800RESPECT)**. Visit [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au) to access information and online counselling.

Phone the National Victims Support Line on **1800 633 063**.

Lifeline provides free counselling over the phone. Phone **13 11 14**.

Telecross is a free daily contact service. A volunteer can call you each day to check on you. Phone **1300 885 698**.

If you are experiencing violence you may be able to access assistance through a family or domestic violence support service in your state or territory. Some of these services offer crisis assistance, such as a place to stay and counselling. Others offer access to lawyers who are experienced in dealing with domestic violence matters.

Some family violence legal services provide specialist support for Aboriginal and Torres Strait Islander peoples. For contact details for these services see [page 219](#).

ACT	Domestic Violence Crisis Service ACT	02 6280 0900
	Women's Legal Centre	02 6257 4499
NSW	Domestic Violence Line, for crisis support	1800 656 463
	Women's Domestic Violence Advocacy Services, through LawAccess NSW	1300 888 529
NT	Dawn House, Darwin	08 8945 1388
	Domestic Violence Legal Service, Darwin	08 8999 7977
	Top End Women's Legal Service	1800 234 441 or 08 8982 3000
Qld	DV Connect	1800 811 811 or 07 3008 8294
	Women's Legal Service Queensland	1800 677 278 or 07 3392 0670
SA	Domestic Violence Gateway Helpline	1800 800 098
	Women's Legal Service SA	1800 816 349 or 08 8221 5553
Tas	Family Violence Response Referral Line	1800 633 937
	Women's Legal Service	1800 682 468

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Vic	Women's Domestic Violence Crisis Service	1800 015 188 or 03 9322 3555
	Women's Legal Service	1800 133 302 or 03 9642 0877
WA	Women's Domestic Violence Helpline	1800 007 339 or 08 9223 1188
	Domestic Violence Advocacy Service, Womens Health & Family Services	1800 998 399
	Women's Law Centre	1800 625 122

For legal information, referrals, and in some case advice, you can also talk to the legal aid provider in your state or territory.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800

Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

## 10.2 Home security

You have the right to feel safe in your own home. Common sense measures can help you feel more secure. To improve your security you can:

- Install grills on windows;
- Install deadlocks on doors;
- Lock up when you are at home as well as when you are out;
- Refrain from leaving spare keys in obvious places outside the home;
- Consider purchasing a personal alarm – this is a device you can wear as a necklace to alert someone if there is an emergency;
- Consider installing security sensors outside the home;
- Avoid letting strangers into your home; and
- Check the ID of people who come to your home and make sure you know who is at the door before letting anyone in.

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### Where to go for more information

Your local police station can give you advice about improving your home security. In some states and territories, you can contact a Neighbourhood Watch organisation:

ACT	ACT Neighbourhood Watch Association	0408 395 658
NT	Neighbourhood Watch NT	08 8999 0847
Qld	Neighbourhood Watch Queensland	Contact your local police station through 131 444
SA	WatchSA	Contact 08 7322 3292 and ask to be connected to your Local Service Area
Tas	Neighbourhood Watch Tasmania	131 444
Vic	Neighbourhood Watch Victoria	03 9865 2968
WA	Neighbourhood Watch WA	08 9222 1513

## **Where to go for help**

**In situations of immediate threat, call 000.**

To report a crime where there is no immediate threat, or to ask a non-urgent question, phone Police Assistance on **131 444**. This is available in all states or territories except Victoria. Victorians should contact their local police station directly.

WE may BE  
GETTING OLDER...

... BUT WE'RE  
STILL GOING  
PLACES!

LICENCE

TRAVEL  
CONCESSION





# Your right to transport

You have a right to maintain your independence as much as possible and this means being able to travel to attend appointments or access goods and services. Your right to participate in community life also means having the ability to get around. There are many different transport options to help you maintain your independence. These include public or community transport services. You can also access support to help you continue driving as long as possible. This chapter explains how you can access services and support to keep you mobile.

## 11.1 Public Transport

Public transport is available in all major cities in Australia. It is also available in regional areas, though options may be more limited. In remote areas, public transport is generally not available.

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Take the time to investigate the public transport options in your area. Make sure you find out about any discounts for older public transport users in your state or territory. In some places, public transport is free. Take full advantage of the options that are available to you.

Most states and territories have travel concessions for older people. The following table gives you information about the concessions in each state and territory.

ACT	You can travel for free on ACTION buses if you are over 70 years of age. You can get concessions if you hold a combined Seniors/MyWay card.
NSW	You can receive concession fares if you hold a NSW Seniors Card. You can receive half fare concessions on some rail services, government and private bus services and government ferry services. There are also special 'Excursion Tickets' for some services.
NT	You can receive concessional travel on public bus services if you are a senior citizen (women 60 years and over and men 65 years and over) and a permanent resident. You may still be eligible even if you are working. You can also receive concessions if you are a pensioner or a low-income superannuant.

Qld	If you have a valid Seniors Card from any state or territory you are eligible for concession fares on TransLink public transport (excluding AirTrain). If you hold a Queensland Gold Repatriation Health Card or Queensland Pensioner Concession Card, you are also entitled to a concession fare. Concession fares cost half the price of an adult fare.
SA	If you have a Seniors Card you can access free Adelaide Metro public transport on weekends and public holidays and between 9.01am – 3.00pm Monday to Friday. Your concession is a 50 percent discount on state public transport at all other times.
Tas	You can receive concessional Metro or Merseylink Bus tickets if you are 70 years or older, have a Seniors Card, or have a Pensioner Card.
Vic	If you have a Victorian Seniors Card, you can be provided with a free card which entitles you to concession fares on trains, trams and buses during the week. You can travel on concession fares on V/Line trains and coaches. It also entitles you to free travel on Saturdays and Sundays in some zones in Melbourne and on regional town bus services. You can also receive two off-peak travel vouchers in the mail each year. If you are from regional Victoria, you can receive two additional off-peak travel vouchers.
WA	If you have a Western Australian Seniors Card and a SmartRider card, you are entitled to travel for free on all Transperth services between 9.00am and 3.30pm Monday to Friday, all day Saturday and Sunday, as well as public holidays. You will receive a concession at all other times. You will also receive a concession on TransWA services.

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## Your right to transport

### Where to go for more information

For general information about public transport services in your state or territory, contact the following agencies or visit their websites.

ACT	ACTION Buses	13 17 10
		<a href="http://www.action.act.gov.au">www.action.act.gov.au</a>
NSW	Transport Infoline 131500	131 500
		<a href="http://www.131500.com.au">www.131500.com.au</a>
NT	Department of Transport General Enquiries	08 8924 7666
		<a href="http://www.transport.nt.gov.au">www.transport.nt.gov.au</a>
Qld	TransLink	13 12 30 or 07 3851 8700
		<a href="http://www.translink.com.au">www.translink.com.au</a>
Qld	Queensland Rail	13 16 17
		<a href="http://www.queenslandrail.com.au">www.queenslandrail.com.au</a>
SA	Adelaide Metro	1300 311 108
		<a href="http://www.adelaidemetro.com.au">www.adelaidemetro.com.au</a>
SA	Public Transport Services, Department of Planning, Transport and Infrastructure	08 8303 0822
		<a href="http://www.transport.sa.gov.au">www.transport.sa.gov.au</a>

Tas	Metro Tasmania	13 22 01
		<a href="http://www.metrotas.com.au">www.metrotas.com.au</a>
Tas	Department of Infrastructure, Energy and Resources	1300 851 225
		<a href="http://www.transport.tas.gov.au">www.transport.tas.gov.au</a>
Vic	Public Transport Victoria	1800 800 007
		<a href="http://www.ptv.vic.gov.au">www.ptv.vic.gov.au</a>
WA	Transperth	13 62 13 or 08 9428 1900
		<a href="http://www.transperth.wa.gov.au">www.transperth.wa.gov.au</a>
WA	Transwa	1300 662 205
		<a href="http://www.transwa.wa.gov.au">www.transwa.wa.gov.au</a>

## 11.2 Community Transport

Community transport services assist older people to travel to activities such as doctor appointments, shopping or meeting up with friends. The transport is accessible and affordable and targeted to people who are older, frail, or have an illness or disability that makes accessing ordinary transport difficult.

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Community transport is provided by non-profit organisations including local councils, community centres, community groups or local clubs. Community transport services may include:

- Individual transport services that can take you to hospital, to medical appointments or to make social visits to family or friends;
- Shopping Transport, which may be a weekly bus service which picks up you and others to allow you to do your shopping; and
- Social transport for group social trips to clubs, sightseeing or the theatre. For example, some Seniors Groups organise trips including coach transport for their members.

Community transport may also be available through aged care at home. For more information see [pages 124 to 127](#).

### **Where to go for more information**

Because community transport services are provided by independent organisations and are not coordinated, the services they offer may vary.

To see what services might be available to you, contact your:

- Local council;
- Seniors club;
- Returned Services League Club;
- Sporting club;
- Ethic group or organisation;
- Church group;
- Community group; or
- Community centre.

### 11.3 Maintaining your driver's licence

Having the ability to drive a car is an important part of keeping your independence. Being an older driver means you have more experience, but it might also mean that driving is more difficult because you no longer have the same flexibility, reaction times, eyesight and hearing. Taking the following steps will help you to feel safer on the road and assist you to keep the independence associated with driving for as long as possible.

1. Assess your driving skills. Do you feel nervous when driving? Do you know what medications affect your ability? You can do a self-assessment or have one done for you.

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2. Avoid driving in situations where you feel uncomfortable. For example, drive only during the day or on quieter roads.
3. Take a driving refresher course. Your motoring association may offer a course for seniors.
4. Share driving if you have a partner. This will allow both of you to maintain your driving skills.
5. Adjust your car to make it safer, or consider updating to a safer model car.

Special licensing requirements apply to older drivers in most states and territories. This may involve having an annual medical check-up or completing a practical driving assessment. If you have an illness that impairs your ability to drive, you may need to report it. It might also mean you need to renew your licence more frequently.



## Where to go for more information

Contact the motoring association in your state or territory.

Some roads and licensing authorities provide free publications for older drivers:

ACT	ACT Government's Older Drivers' Handbook. Phone the ACT Council of the Ageing on <b>02 6282 3777</b> to order.
NSW	NSW Roads and Maritime Services' (RMS) Guide for Older Drivers. Phone the RMS <b>13 22 13</b> or visit <a href="http://www.rms.nsw.gov.au">www.rms.nsw.gov.au</a> to order.
SA	SA Government's Moving Right Along information sheets. Phone <b>13 10 84</b> to order or visit <a href="http://www.dpti.sa.gov.au">www.dpti.sa.gov.au</a> to order.
Tas	Tasmanian Government's Tasmanian Older Drivers Handbook. Phone Transport Tasmania's Transport Enquiries Service on <b>1300 851 225</b> to order.
Vic	Victorian Government's Older Driver's Handbook. Phone <b>1300 366 356</b> to order.

Contact the licensing authority in your state or territory for more information about licensing requirements for older drivers.

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## Your right to transport

### Where to go for help

Driver refresher courses, assessment services, and car-fitting services tailored for older people may be available in your state or territory.

ACT	The <b>Council for the Ageing</b> can connect you with providers. Phone <b>02 6282 3777</b> for more information.
NSW	The <b>NRMA</b> runs refreshers for older drivers through the Safer Driving School. Call the Safer Driving School on <b>1300 696 762</b> .
QLD	The <b>RACQ</b> provides a driver refresher course and assessment service through its driver education service: Drive Assist. These are only available in the Brisbane area. Call Drive Assist on <b>07 3361 2382</b> .
SA	The <b>RAA</b> provides a CarFit service. This will make adjustments to your car to make it safer for you. Call <b>08 8202 4223</b> .
VIC	The <b>RACV's</b> Drive School runs an assessment service and a Seniors' Driving Program. Call the RACV Drive School on <b>1300 788 229</b> .

### 11.4 Mobility options and subsidies

Transport options may be available to you if you are unable to drive or access public transport. Find out whether you can benefit from a **taxi subsidy** to reduce the cost of taxi use if you have a disability or a medical condition that prevents the use of public transport. Eligibility differs in each state and territory.

Find out if you are eligible for **Mobility Allowance**. Mobility Allowance is for people who cannot use public transport without substantial assistance and need to travel to work, volunteer or study.

### **Where to go for more information**

For more information about Mobility Allowance contact Centrelink on **13 27 17** or go to [www.humanservices.gov.au](http://www.humanservices.gov.au).

For more information about taxi subsidies contact the responsible authority in your state or territory.

ACT	ACT Taxi Subsidy Scheme	02 6205 1012
NSW	Taxi Transport Subsidy Scheme	1800 623 724
NT	Taxi Subsidy Scheme	08 8924 7043
Qld	Taxi Subsidy Scheme	1300 134 755
SA	South Australian Transport Subsidy Scheme	1300 360 840
Tas	Transport Access Scheme	1300 851 225
Vic	Multi Purpose Taxi Program, Victorian Taxi Directorate	1800 638 802
WA	Taxi User's Subsidy Scheme	1300 660 147

I KNOW YOU'VE EMBRACED  
THE INTERNET, BUT MAYBE  
YOU'RE TAKING THINGS A LITTLE  
TOO FAR...



# Your right to information: accessing information through the internet

The internet is an empowering tool that can help you to access services, find information, and stay connected to friends and loved ones. You have a right to services and information to help you to access the internet safely. Many older people missed out on the digital revolution so some services have

## Chapter 12: Your right to information: accessing information through the internet

been developed specifically for older people who want to develop internet skills. This chapter provides information about internet services and support, and explains the help that is available to you.

### 12.1 Help using the internet

Some older people think that they have missed the opportunity to learn to use the internet or they fear they will not be able to pick up new technologies. If you would like to learn to use the computer or improve your skills, you can access services that are designed for older online learners. It is never too late to learn. There are services that can help you to access the internet and provide you with training and assistance alongside your peers.

**Broadband for Seniors** provides older people with free access to computers and personalised training to develop computer skills or to access the internet. There are approximately 2000 kiosks across Australia.

Free training and ongoing support is provided by volunteer tutors, either individually or in small groups. Some of the training topics include: how to use a computer; how to access the internet; sending emails; using Skype to keep in touch with family and friends; and staying safe online. Many of the volunteer tutors

are also older people who have benefitted from the services and support provided at a Broadband for Seniors kiosk.

**Seniors Computer Clubs** can help you learn and develop computer skills. They also provide access to computers and the internet. The Seniors Computer Clubs are for people over the age of 50. The clubs are non-profit volunteer organisations encouraging seniors to learn together. There is generally a joining cost for club membership and a small fee for each learning session that you attend.

Many **Council libraries** provide free internet access and some provide free internet and computer training courses for library members. Check your local library to find out what is on offer.

Many **TAFEs, U3As, Centres for Adult Education and other Vocational Education and Training** organisations offer short introductory computer and internet courses. Check to see if they offer a course that suits you. Some will be targeted to beginners and others will be more advanced courses about different digital topics. These courses are generally provided at a cost to you. Check your local course providers to find out what is on offer and compare course prices.

## Chapter 12: Your right to information: accessing information through the internet

### Where to go for help

Contact the Broadband for Seniors helpline on **1300 795 897** or visit their website at [www.necseniors.net.au](http://www.necseniors.net.au).

The Australian Seniors Computer Clubs Association can put you in touch with a local Seniors' Computer Club. Phone **02 9286 3871**.

### 12.2 Staying safe on the internet

The internet is a large part of public life. It is a place where you can interact with friends and family, find information and transact business. As with other areas of public life, it holds certain risks. Internet users need to ensure the security and safety of their personal information.

It is necessary to be vigilant about your online security, as some people use the internet to obtain your personal details, including your bank account details. They can use false webpages and emails to trick you into giving away personal details, or they can create viruses that gather information from your computer. Protect yourself with these practical steps:

- Install security software;
- Think before you click on links and attachments;



- Talk to someone about anything online that makes you uncomfortable;
- Think before you put personal information online; and
- Use strong passwords and change them regularly.

Meeting and interacting with people over the internet is less personal than meeting in person. Scammers sometimes use the internet to get to know you before requesting money or assistance. Be cautious about people who you meet online. For more information about scams see [pages 80 to 86](#).

## **Where to go for more information**

Contact Stay Smart Online by calling **1800 753 178**. Visit [www.staysmartonline.gov.au](http://www.staysmartonline.gov.au) for more practical tips and fact sheets. You can also order a copy of their booklet, Protecting Yourself Online.

## **Where to go for help or to make a complaint**

Visit the Cyber Safety website to access help, report anything you've seen online and learn more about online safety at [www.cybersafety.dbcde.gov.au](http://www.cybersafety.dbcde.gov.au).

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Download the free Cybersafety Help Button onto your computer. You can click the button whenever you are online to take you to a website that will tell you where to find help. Visit [www.dbcde.gov.au/helpbutton](http://www.dbcde.gov.au/helpbutton) to download.

If you have been the victim of an online scam contact the SCAMwatch Infocentre on **1300 795 995**.



WHERE THERE'S A WILL THERE'S  
A WAY... AND APPOINTING A POWER  
OF ATTORNEY HELPS TOO...



# Your right to plan your will and other end of life decisions

You have the right to make your own decisions as long as you have the capacity to do so.

Having ‘capacity’ when making a decision means that you have the ability to:

- Understand the facts and main choices involved;
- Weigh up the consequences of the choices; and
- Communicate your decision.

Capacity can be lost through sickness or because of an accident. If you lose the ability to make decisions, someone else will have to make them for you.

## Chapter 13: Your right to plan your will and other end of life decisions

This section explains how you can plan ahead to ensure your choices are respected as you get older. It explains how to choose someone to make financial decisions on your behalf if you can't make them yourself; how to record your preferences for medical treatment; and how to make a will.

### 13.1 Appointing a person to make your financial decisions

At some point as you age, you may decide that it is in your best interests to appoint someone to make decisions on your behalf. This is generally known as appointing a 'power of attorney' and people do this when they have a health condition that affects decision-making or they think they may lose the capacity to make decisions in future.

In most cases people give power of attorney to one or more trusted family members, to a lawyer of their choosing, to a government public trustee, or to a combination of these.

It is important to take steps to appoint a power of attorney well before you lose your ability to make decisions independently. If you do lose the ability to make decisions before you have appointed a power of attorney, the government will appoint someone to make decisions for you.

To appoint a financial decision maker you will need to complete a legal form called a ‘power of attorney’.

The person who you appoint to be your ‘attorney’ will be able to make legal and financial decisions as if they were in your shoes. They will be able to do things like pay bills, sell your property and receive money on your behalf.

A ‘**general power of attorney**’ is the document used to give another person the power to make financial decisions temporarily. For example, if you go on holiday overseas, you may require someone to make decisions in your absence.

An ‘**enduring power of attorney**’ is the document used to give another person the power to make decisions for you when you no longer have capacity. For example, if you have an illness that prevents you from making decisions, or lose cognitive ability.

The process of making a power of attorney is different across the states and territories of Australia. In some states and territories creating a power of attorney allows another person to make decisions on your behalf across a range of matters in addition to financial matters. They may be able to make decisions about your health care and where you live for example. In these circumstances, you can limit the powers to the particular areas that suit your individual needs.

## Chapter 13: Your right to plan your will and other end of life decisions

Choose someone who you trust, who is available to help when needed and is capable of making good decisions. You are also able to choose more than one person. You may decide to choose a family member and your lawyer for example. If you do not know anyone suitable, the Public Trustee or Advocate in your state or territory can be appointed as your decision maker. This is an independent and impartial body established by the government with responsibility for substitute decision making.

Once you have appointed a power of attorney, they have a responsibility to act in your best interests. They cannot use your money to benefit themselves unless you say so. If you notice this happening, seek legal advice immediately.

You can revoke a power of attorney as long as you have capacity to do so. A court or relevant tribunal can also review the actions of the attorney and suspend or revoke their powers.



## Where to go for help

Contact the Public Trustee or Advocate in your state or territory for general information or to begin the process.

ACT	Office of the Public Advocate	02 6207 0707
NSW	NSW Trustee and Guardian	1300 364 103
NT	Office of the Public Trustee	08 8999 7271
QLD	The Public Trustee	1300 651 591
SA	Office of the Public Advocate	1800 066 969 or 08 8342 8200
TAS	Public Trustee	1800 068 784
VIC	Office of the Public Advocate	1300 309 337
WA	Office of the Public Advocate	1300 858 455

Seek legal advice before you create a power of attorney. If you have concerns about your attorney you may ask a third party to review the appointment. Contact the Public Trustee or Advocate in your state or territory.

## Chapter 13: Your right to plan your will and other end of life decisions

You can also contact legal aid in your state or territory for legal information, referrals, and in some cases advice.

ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

The law society in your state or territory can help you to find a private solicitor or refer you to a community legal centre.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104

Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## 13.2 Advance care planning: expressing your wishes about medical treatment

You have a right to make your own decisions about your health care and medical treatment as you age, but you will need to plan ahead. If you become sick or develop a form of dementia, you may lose the ability to make future health decisions.

Therefore, it is a good idea to plan your medical treatment in advance and record the health and medical treatment that you want in future. This process is called ‘advance care planning’. With advance care planning, doctors, family and friends will know what treatment you would and wouldn’t want, even if you can’t communicate your wishes. You may also use the ‘advance care planning’ document to indicate who you would like to make decisions about your health care and medical treatment if you are unable to do so.

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You can record your wishes using a document commonly known as an **advance care directive**. The name given to this document and the procedures you must follow differ in each state and territory.

State	Name of document
NSW	Advance Care Directive
QLD	Advance Health Directive
WA	Advance Health Care Directive
Tasmania	Advance Health Care Directive
ACT	Health Direction
Victoria	Advance Care directive
SA	Statement of Choices
	Anticipatory Direction
NT	Statement of Choices
	End of Life Directive

A directive can be legally binding. This depends on how it was made, how current it is and what it contains.

## Where to go for help

Visit the Respecting Patient Choices website at [www.respectingpatientchoices.org.au](http://www.respectingpatientchoices.org.au) to access information and to find the forms that are relevant to your state or territory. Contact your local authority for more information and forms.

ACT	Respecting Patient Choices, The Canberra Hospital	02 6244 3344
NSW	NSW Health	02 9391 9000
NT	Territory Palliative Care	08 8922 6761
Qld	Office of Adult Guardian	1300 653 187
SA	Office of the Public Advocate	1800 066 969
Tas	Palliative Care, Department of Health and Human Services	1300 135 513
Vic	Advance Care Planning, Integrated Care, Department of Health	03 9096 7093
Vic	Office of the Public Advocate	1300 309 337
	Respecting Patient Choices	03 9496 5660
WA	Department of Health, Advance Health Directive Support Line	08 9222 2300
	Office of the Public Advocate	1300 858 455

## Chapter 13: Your right to plan your will and other end of life decisions

### 13.3 Making a will

Making a will is essential if you want to have a say over who will get a share of your money and property when you die. If you die without a will your assets will be divided among relatives according to a pre-determined formula contained in the law. If you don't have close relatives according to the law, your estate will go to the government.

Making a will is simple and need not be expensive. A solicitor, Public Trustee, or Public Advocate can help you write or update your will. Some Public Trustees or Public Advocates will not charge you to prepare or update your will. However, fees may be payable in the future when your estate is administered.

There are will kits available to assist you to make your will. You need to ensure that your will shows your intentions clearly and meets the formal requirements to be valid. It is safer to have a professional make your will to ensure it is done properly.

Plan ahead because you must make a will while you still have capacity.

Update your will regularly, especially if you marry or divorce; have children or grandchildren; if your spouse or beneficiaries die; or if your financial circumstances change.

If you feel you are being pressured when making or changing your will, read the section on financial abuse on [pages 74 to 80](#) for information about how you can avoid family pressures.

## Where to go for help

To get started on making a will, contact a solicitor. The Law Society in your state or territory can help you find a private solicitor. If you can't afford a private solicitor, speak to the law society about community legal centres in your local area.

ACT	The ACT Law Society	02 6247 5700
NSW	The Law Society of NSW	02 9926 0300
NT	Law Society Northern Territory	08 8981 5104
Qld	Queensland Law Society	1300 367 757
SA	The Law Society of South Australia	08 8229 0288
Tas	The Law Society of Tasmania	03 6234 4133
Vic	Law Institute of Victoria	03 9607 9550
WA	The Law Society of Western Australia	08 9324 8600

## Chapter 13: Your right to plan your will and other end of life decisions

The Public Trustee in your state or territory can prepare your will directly or act as an executor. Fees usually apply.

ACT	Public Trustee for the ACT	02 6207 9800
NSW	NSW Trustee and Guardian	1300 364 103
NT	Office of the Public Trustee	08 8999 7271
Qld	The Public Trustee	1300 651 591
SA	Public Trustee	08 8226 9200 1800 673 119
Tas	Public Trustee	1800 068 784
Vic	State Trustees	03 9667 6466 1300 138 672
WA	Public Trustee	1300 746 212

### 13.4 Nominating a person to receive your superannuation death benefits

When a person dies, the balance of their superannuation fund will be distributed to a single or multiple beneficiaries.

People often think that they can use their will alone to nominate the person to whom they wish to leave their superannuation after their death.



In fact, superannuation is not considered to be an 'estate' asset and therefore it is not automatically distributed as part of your will.

The trustee of your superannuation fund decides the distribution of your superannuation 'death benefits'. The benefits can be paid to your legal representative (the executor of your estate) or to your dependants. A dependant includes:

- A spouse (it does not matter if the spouse is not financially dependent on you);
- A child of the member (it does not matter if the child is not financially dependent on you; and
- A person in an interdependency relationship with you at the time of your death (this is defined in the superannuation law, but generally 'interdependency' means people who have been living together and providing support to each other).

If you want to nominate the person or people who will receive your superannuation death benefits, then you must make a death benefit nomination. There are two types of nomination – binding and non-binding death benefit nominations.

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Your superannuation fund *may* allow you to make a **binding death benefit nomination**. If the nomination is valid under the law, the superannuation benefits must be paid in accordance with the nomination. Binding death benefit nominations must be confirmed every three years otherwise they lapse.

Your superannuation fund *may* allow you to make a **non-binding death benefit nomination**. Non-binding nominations allow you to inform your superannuation fund trustee of your wishes, although the trustee is not bound to follow the nomination.

Not all superannuation funds accept binding or non-binding death benefit nominations. Each fund's governing rules are different and may impose other restrictions on the trustee's discretionary power to pay superannuation 'death benefits'. You need to check with your superannuation fund to find out the rules that apply to death benefits.

In deciding how to distribute a death benefit, the trustee of a superannuation fund must act fairly and reasonably. While the trustee's discretion is not overridden by a will, if a trustee does make a distribution to your legal representative, the benefits will be distributed in accordance with your will.

## Where to go for more information

Contact your superannuation fund to find out whether the rules of the fund allow binding death benefit nominations and/or non-binding death benefit nominations. Your superannuation fund will be able to help you through the process of making a nomination.

Financial planners and advisers can give you more information and advice about superannuation 'death benefit' distributions. For help finding a financial planner you can contact:

- The Financial Planning Association on **1300 626 393**;
- The Association of Financial Advisers on **02 9267 4003**; or
- CPA Australia on **1300 73 73 73**.

Chapter 13: Your right to plan your will and other end of life decisions



# Your right to support when someone has died

Losing someone close is very difficult. For that reason, it is important that you are aware of the services and supports that are available when you are bereaved.

This chapter provides information about the services that can assist you after the loss of a loved one.

## 14.1 Income support after bereavement

Financial support is available to eligible people to assist with the financial adjustment required when a partner or person in your care is lost.

## Chapter 14:

# Your right to support when someone has died

You may be eligible to receive **Bereavement Allowance** for up to 14 weeks after the death of your partner. This payment may be received instead of your usual income support payment. To be eligible to receive Bereavement Allowance, you must meet an income and assets test.

You may be eligible to receive **Bereavement Payment** if you received an eligible payment from Centrelink or the Department of Veteran's Affairs at the time of the person's death. Bereavement Payment is usually paid as a lump sum. You may be eligible to receive Bereavement Payment if you are receiving Carer Payment and the person you were caring for dies. Other eligibility criteria also apply.

Women born on or before 1 July 1955 with no recent workforce experience may be eligible to receive a fortnightly **Widow Allowance** if they become widowed, divorced or separated after age 40. You must meet an income and assets test as well as residency requirements.

### Where to go for more information

Phone Centrelink on **13 23 00** for information about the Bereavement Payment and the Bereavement Allowance.

Phone Centrelink on **13 23 00** for information about Widow Allowance. Visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

## Where to go for help

For legal advice contact a welfare rights centre in your state or territory.

ACT	Social Security and Tenant's Advice Line, Welfare Rights and Legal Centre ACT	02 6218 7977
NSW	Welfare Rights Centre Sydney	1800 226 028 or 02 9211 5300
NT	Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Welfare Rights Centre, Brisbane	07 3421 2510
	Townsville Community Legal Centre	07 4721 5511
SA	Adelaide Welfare Rights Centre	08 8223 1338 or 1800 246 287
Tas	Hobart Community Legal Service	03 6223 2500
Vic	Social Security Rights Victoria	03 9481 0355 or 1800 094 164
	Barwon Community Legal Centre, Geelong	03 5221 4744
Vic Rural	Social Security Rights Victoria	1800 094 164
WA	Welfare Rights and Advocacy Service Western Australia	08 9328 1751

## Chapter 14:

# Your right to support when someone has died

## 14.2 Grief and counselling

Emotional support services are available for people who need counselling after someone close has died.

Counselling services can be provided over the phone and in person. Some of these are available for free.

If you are a Centrelink customer, you can speak to a social worker from Department of Human Services' Social Work Services. They can offer referrals to other support services and short-term counselling.

If you need a referral to a counselling service, speak to your doctor.

### Where to go for more information

For more resources on grief online, visit the Australian Centre for Grief and Bereavement [www.grief.org.au](http://www.grief.org.au).

To speak to a social worker from the Department of Human Services' Social Work Services call **132 850** or make an appointment to see a social worker at your local DHS Service Centre.

### Where to go for help

To access counselling services directly, phone:

- Lifeline Australia on **13 11 14**;
- Department of Human Services on **132 850**;
- MensLine Australia on **1300 789 978**; or
- Relationships Australia on **1300 364 277**.







# Rights for older people from identifiable groups

This chapter explains some of the specialist services and supports available to older people who are members of identifiable groups.

- Older veterans;
- Older Aboriginal and Torres Strait Islander Peoples;
- Older people with disabilities;
- Older people from culturally and linguistically diverse backgrounds and non-Australian citizens; and
- Lesbian, gay, bisexual, trans and intersex (LGBTI) older people.

## Chapter 15:

# Rights for older people from identifiable groups

## 15.1 Older veterans

Australia's war veterans are eligible for specific government services and supports. These services and supports are different to the general entitlements for other older Australians in recognition of their service and sacrifice in defence of our nation.

### **(a) The Service Pension**

The Service Pension is paid by the Department of Veterans' Affairs to eligible veterans on the basis of invalidity or age. The age service pension is paid to veterans earlier than the general Age Pension. From 2013, you may be eligible to receive the Service Pension when you are aged 60 years for men and between 55 and 60 years for women, depending on when you were born.

### **(b) The Disability Pension**

Disability Pensions are available to eligible veterans with injuries or diseases caused by or aggravated by service before 1 July 2004. The amount you receive will depend on the level of incapacity suffered as a result of service.

### **(c) War Widow's/Widower's Pensions**

War Widow's/Widower's Pensions are available to eligible widowed partners of veterans who have died as a result of war service or eligible defence service.

### **(d) The Pensioner Concession Card**

The Pensioner Concession Card is available to all those who receive the Department of Veterans' Affairs Service Pension, Age Pension and War Widow's/Widower's Pension. This entitles you to the same concessions as Centrelink's Pensioner Concession Card.

For more information about government assistance through the Department of Veterans' Affairs contact **133 254**.

### **(e) The Pension Loans Scheme**

People who have reached the Department of Veterans' Affairs pension age but do not receive a full pension because of the income or assets test may be eligible to participate in the **Pension Loans Scheme**. This provides you with a fortnightly payment of up to the maximum pension rate. The loan is secured against any real estate that you own including the home in which you live. The loan reduces the equity

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### Rights for older people from identifiable groups

in your nominated real estate. It includes interest payments calculated on a fortnightly basis each pension pay day.

For more information contact the Department of Veterans' Affairs on **133 254**.

#### **(f) Veterans' healthcare information**

Veterans may be eligible for a **Repatriation Health Card**. There are different kinds of Health Cards with different levels of cover.

A Gold Health Card entitles holders to a full range of health care services, aids and appliances without cost. A White Health Card entitles holders to treatment without cost, but only for those conditions related to service. An Orange Health Card entitles you to subsidised medicines. Eligibility for the different types of card depends on your age, your service, the rate of your disability pension, the level of your incapacity, and how your injuries were caused.

Veterans can access information on health and medicines through **Veterans' Medicines Advice and Therapeutics Education Services (MATES)**. Visit [www.veteransmates.net.au](http://www.veteransmates.net.au).

For more information about health care for veterans contact the Department of Veterans' Affairs on **133 254**.

**(g) Veterans' aged care information**

**Veterans' Home Care (VHC)** assists eligible veterans and war widows/widowers to live independently at home. Care provided can include domestic assistance, personal care, home maintenance and respite care. You may have to pay capped co-payments. You must be assessed as eligible by a Veteran Home Care assessor. Contact a VHC assessment agency on **1300 550 450**.

Veterans can access residential aged care in the same way. Special rules apply to veterans in paying residential aged care fees. Veterans may need to pay a daily fee. Eligible veterans or widows/widowers on a disability or service pension will not have their DVA pensions considered to pay the income tested fee.

To find a residential aged care home where you can live with other veterans call My Aged Care on **1800 200 422**.

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### Rights for older people from identifiable groups

#### **(h) Veterans' transport services**

Under the **Repatriation Transport Scheme** eligible veterans and war widows/widowers can claim travelling expenses related to visits to health providers for medical transport or disability claims. For more information contact the Department of Veterans' Affairs on **133 254**.

#### **(i) Veterans' bereavement support**

A bereavement payment can be claimed to help with costs following the death of a person on selected Department of Veterans' Affairs pensions. It is generally payable to the surviving partner of the veteran or to the deceased person's estate, if the pensioner was single, separated, or widowed. Surviving partners generally do not need to apply for this payment. The payment should be automatic upon notification of the death to the Department of Veterans' Affairs.

If the veteran was single then a bereavement payment may be payable to the deceased estate. An application for payment must be made within 12 months of the veteran's death. Contact your nearest DVA office or visit the DVA website at [www.dva.gov.au/dvaforms](http://www.dva.gov.au/dvaforms).



A funeral benefit is a one-off payment, to assist with the funeral costs of an eligible veteran or dependant. A number of eligibility criteria apply. An application for a funeral benefit must be made on a **Funeral Benefit Form** within 12 months of the death, or from the date that the veteran's death was accepted as war caused. Contact the Department of Veterans' Affairs for more information on **133 254**.

#### **(j) Veterans' counselling services**

Veterans and their families can access the **Veterans and Veterans' Families Counselling Service** for counselling and group programs. You can contact the service on **1800 011 046** 24 hours a day.

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#### 15.2 Older Aboriginal and Torres Strait Islander Peoples

In recognition of the unique status of Australia's first peoples and in recognition of lower life expectancy levels, certain services are specifically designed for Aboriginal and Torres Strait Islander peoples.

Older Aboriginal and Torres Strait Islander people in need of aged care can access Flexible Aged Care services that are culturally responsive and appropriate. For more information, including the name of a service that is near you, call My Aged Care on **1800 200 422**.

It is unlawful for anyone to discriminate in the provision of:

##### **(a) The Centrelink Indigenous Call Centre**

The Centrelink Indigenous Call Centre can be contacted for more information on government assistance. Phone the Centrelink Indigenous Call Centre on **1800 136 380**.

##### **(b) The Remote Area Allowance**

The Remote Area Allowance provides additional income to people living in remote areas. You must live in a qualifying tax zone and receive an income support payment like the Age Pension or the Disability Support

Pension. Contact the Centrelink Indigenous Call Centre on **1800 136 380** or visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information.

### **(c) The ASIC Indigenous (Financial) Help Line**

ASIC regulates credit and financial services and produces financial literacy information for people. You can call **ASIC's Indigenous Helpline** on **1300 365 957**. You can also view ASIC's Indigenous publications on topics including superannuation, paying for funerals, credit and insurance at [www.moneysmart.gov.au](http://www.moneysmart.gov.au) and then click on the Aboriginal and Torres Strait Islander flags.

### **(d) Money Management Services**

Money Management Services operate in locations in Queensland, the Northern Territory, South Australia, NSW and Western Australia. These services offer practical support through free courses that can help you to manage your finances. Money Management Services are run through community organisations. Some of these organisations provide ongoing support with money matters.

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NT	The Smith Family, Darwin	08 8985 6841
	Australian Red Cross, Darwin	08 8924 3969
	Bawinanga Aboriginal Council, Maningrida	08 8979 5799
	CatholicCare NT, Tennant Creek	08 8962 3065
	East Arnhem Shire Council, East Arnhem	08 8987 9265
	HK Training and Consultancy, West Arnhem	08 8927 2499
	Kalano Community Association, Katherine	08 8972 8226
	Laynhapuy Homelands Association, Yirrkala	08 8939 1800
	Lutheran Community Care, Alice Springs	08 8953 5160
	Tiwi Islands Training and Employment Board, Tiwi Islands	08 8970 9176
QLD	Indigenous Consumer Assistance Network (ICAN)	1300 369 878
WA	Kununurra Waringarri Aboriginal Corporation, Kununurra	08 9168 1528
	Kimberley Employment Services, Broome	08 9192 6700
	Kimberley Money Management, Derby	08 9193 1834

### (e) Indigenous Money Mentor Network

You can access help with your finances through the Indigenous Money Mentor Network. This service can provide you with financial literacy information and referral. It also offers individual financial assistance to help improve your financial wellbeing.

NSW	Lismore Neighbourhood Centre, Lismore	02 6621 7397
	Muru Mittigar Cultural and Education Centre, Western Sydney	02 4730 2774
	NSW Aboriginal Land Council, Parramatta	1300 660 674
WA	Wunan, Kununurra	08 9168 3881
NT	Anglicare NT, Alice Springs	08 8951 8000
	Anglicare NT, Darwin	08 8985 0000

### (f) Medicare Indigenous Access Unit

Call the Medicare Indigenous Access Unit for more information about Medicare on **1800 556 955**. You can also visit the Department of Human Services website at [www.humanservices.gov.au/medicare](http://www.humanservices.gov.au/medicare).

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### **(g) Aboriginal and Torres Strait Islander legal services**

Aboriginal and Torres Strait Islander legal services can help you with advice and information about legal matters.

ACT NSW	Aboriginal Legal Service NSW/ACT	1800 733 233 or 02 8303 6600
NT	North Australian Aboriginal Justice Agency	1800 898 251
	Central Australian Aboriginal Legal Aid Service	1800 636 079
Qld	Aboriginal and Torres Strait Islander Legal Service Queensland	1800 012 255
SA	Aboriginal Legal Rights Movement SA	1800 643 222
Tas	Tasmanian Aboriginal Centre – Legal	1800 132 260
Vic	Victorian Aboriginal Legal Service	1800 064 865
WA	Aboriginal Legal Service of Western Australia	1800 019 900

## **(h) Aboriginal or Torres Strait Islander family violence legal services**

Aboriginal and Torres Strait Islander family violence legal services can assist with family violence problems and elder abuse.

NT	Central Australian Aboriginal Family Legal Unit, Alice Springs	1800 088 884
	North Australian Aboriginal Family Violence Legal Service, Darwin	1800 041 998
	North Australian Aboriginal Family Violence Legal Service, Katherine	1800 184 868
	Central Australian Aboriginal Family Legal Unit, Tennant Creek	1800 068 830
Qld	Queensland Indigenous Family Violence Legal Service	07 4030 0400
SA	Family Violence Legal Service, Aboriginal Corporation, Ceduna	1800 839 059
	Family Violence Legal Service, Aboriginal Corporation, Port Augusta	1800 111 052
	Family Violence Legal Service, Aboriginal Corporation, Port Lincoln	1800 309 912
Vic	Aboriginal Family Violence Prevention and Legal Service, Victoria	1800 105 303 or 03 9244 3333
WA	Aboriginal Family Law Service, Family Violence Prevention Services	08 9355 1502 or 1800 469 246

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### **(i) Aboriginal and Torres Strait Islander counselling services**

Aboriginal and Torres Strait Islander counselling services provide a range of services to assist with issues ranging from loss and grief to managing mental health issues.

NSW	Relationships Australia	1300 364 277 or 02 8352 2888
NT	Central Australian Congress Social and Emotional Wellbeing, Alice Springs	08 8951 4444
	Danila Dilba Health Service, Darwin	08 8942 5444
	Wurli-Wurlinjang Health Service, Katherine	08 8972 9100
Qld	Gallang Place, Brisbane	07 3844 2283
	Palm Island Mental Health Service, Palm Island	07 4752 5100
	Aboriginal and Torres Strait Islander Community Health Service Healing Centre, Brisbane	07 3240 8907
	Townsville Aboriginal and Torres Strait Islander Health Services Mental Health Unit, Townsville	04 88 527 344



SA	Nunkuwarnin Yunti, Adelaide	08 8406 1600
Tas	Relationships Australia	1300 364 277 or 03 6211 4050
	Tasmanian Aboriginal Centre, Hobart	03 6234 0700
	Tasmanian Aboriginal Centre, Launceston	03 6332 3800
	Tasmanian Aboriginal Centre, Burnie	03 6431 3289
Vic	Victorian Aboriginal Health Service, Melbourne	03 9403 3300
WA	Yorgum Aboriginal Family Counselling Service, Perth	08 9218 9477

## **(j) Indigenous Employment Program**

Eligible participants can access the Indigenous Employment Program. This program works with Job Services Australia to help you get a job, stay employed, develop your career or own and operate your own business. Call the Indigenous Employment Line on **1802 102** for more information.

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### **(k) Abstudy**

Abstudy is available to eligible Aboriginal and Torres Strait Islander people to support you while you complete an apprenticeship or study. For more information contact the Centrelink Abstudy line on **1800 132 317** or visit [www.humanservices.gov.au](http://www.humanservices.gov.au).

### **(l) Race discrimination**

It is unlawful for anyone to discriminate against you because of your race. The *Racial Discrimination Act 1975* (Cth) (the RDA) makes it against the law to treat you unfairly because of your race, colour, descent, national or ethnic origin or immigrant status. Racial hatred is also against the law.

It is unlawful for people to discriminate against you in the following areas:

- **Employment** – getting a job, terms and conditions of a job, training, promotion, being dismissed;
- **Education** – enrolling or studying in a course at a private or public school, college or university;
- **Accommodation** – renting or buying a house or unit;

- Getting or using services – such as banking or insurance services, services provided by government departments, transport or telecommunication services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues; and
- Accessing public places – such as parks, government offices, restaurants, hotels or shopping centres.

For more information or to make a complaint, contact the **Australian Human Rights Commission** on **1300 656 419** or **02 9284 9888** or **1800 620 241** (toll free) or by email: [complaintsinfo@humanrights.gov.au](mailto:complaintsinfo@humanrights.gov.au).

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## 15.3 Older people with disabilities

Supports and services are available to eligible Australians who have or acquire a significant and permanent disability. While most disability services are administered by state and territory governments, the disability system is undergoing change and progressively moving to a national system, DisabilityCare Australia.

Older Australians who have or acquire a disability may also access support through the Australian Aged Care System.

The system that is available to you will depend on the age at which you were assessed as having a disability. If you were assessed as having a significant and permanent disability before the age of 65 you can access disability support services. If you were assessed at age 65 or older you can access services through the Australian Aged Care System.

### **(a) Disability care and services**

Most disability services are delivered by the states and territories while the system is being nationalised. If you live in an area where DisabilityCare Australia is not yet available, disability services will be delivered by a relevant authority in your state or territory.

ACT	Disability ACT	133 427
NSW	Ageing Disability and Home Care	02 9377 6000
NT	Office of Disability	1800 139 656
Qld	Disability Services	1800 177 120
SA	Disability Information and Referrals	1300 786 117
Tas	Disability and Community Services Gateway Services	1800 171 233
Vic	Department of Human Services Disability Intake and Response Service	03 9843 6000
WA	Disability Services Commission	1800 998 214

## **(b) DisabilityCare Australia**

From 1 July 2013, Australia's support system for people with a significant and permanent disability is being progressively replaced with DisabilityCare Australia. DisabilityCare Australia will first launch in Tasmania, South Australia, the Hunter area in NSW and the Barwon area in Victoria. From July 2014, DisabilityCare Australia will launch in sites in the ACT and NT. DisabilityCare Australia will be available across Queensland from 2016.

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You can receive assistance through DisabilityCare Australia if you were assessed as having a disability before the age of 65 and you live in an area where DisabilityCare Australia is available. When you turn 65 you will have a choice about whether to continue to access services through DisabilityCare Australia or to access services through the aged care system. However, if you move into residential aged care, you will automatically be moved into the aged care system.

For information about **DisabilityCare Australia** contact **1800 800 110**.

#### **(c) Disability services through Australia's Aged Care System**

If you are assessed to have a disability after the age of 65, you will receive services and support for your disability through Australia's Aged Care System. Aged Care Assessment Teams assist older people and their carers to work out what kind of care will best meet their needs. Your doctor or local hospital can refer you to an **Aged Care Assessment Team** or you can contact them directly on **1800 200 422**.

### **(d) The Disability Support Pension**

The Disability Support Pension provides income support for eligible people who are permanently blind or have a physical, intellectual or psychiatric impairment. You must be under Age Pension age to initially claim the Disability Support Pension and once you reach age 65 you can choose to remain on that pension or move to the Age Pension. For more information contact Centrelink on **13 27 17** or visit [www.humanservices.gov.au](http://www.humanservices.gov.au).

### **(e) Mobility Allowance**

Mobility Allowance is for eligible people who cannot use public transport without substantial assistance and need to travel to work, volunteer or study. For more information contact Centrelink on **13 27 17** or visit [www.humanservices.gov.au](http://www.humanservices.gov.au).

### **(f) Other supports and services**

A range of other supports and services may be available to you. They include advocacy services, captioning services, and a plan to increase the number of cinemas in Australia that are accessible to people with a disability.

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For more information about services in your area, contact the Department of Families, Housing, Community Services and Ingenious Affairs on **1300 653 227** or visit their website at [www.fahcsia.gov.au](http://www.fahcsia.gov.au).

### **(g) Disability employment services**

**JobAccess** can help people with disability to find work. They can also assist you when you are at work. Contact JobAccess on **1800 464 800**.

**Disability Employment Services** can help people with a disability find work as well as providing assistance for you if you are already in employment. Contact them on **1800 805 260**.

### **(h) Legal services specialising in disability**

The following organisations offer specialised legal services for people with a disability.

ACT	Disability Discrimination Legal Service, Welfare Rights and Legal Centre	02 6218 7918
NSW	Australian Centre for Disability Law	1800 800 708
NT	Aged and Disability Advocacy Service, Darwin Community Legal Centre	1800 812 953 or 08 8982 1111
Qld	Disability Discrimination Advocacy Service, Welfare Rights Legal Centre	07 3847 5532



SA	Disability Discrimination Service, Central Community Legal Service	08 8342 1800
Tas	Disability Discrimination Service, Launceston Community Legal Centre	1800 066 019
Vic	Disability Discrimination Legal Service	1300 882 872
WA	Disability Discrimination Unit, Sussex St Community Legal Centre	08 6253 9500
	Individual Disability Advocacy Service, Sussex St Community Legal Centre	1300 648 655

## (i) Disability discrimination

The *Disability Discrimination Act 1992* (Cth) makes it unlawful for people to discriminate against you in the following areas:

- **Employment** – getting a job, terms and conditions of a job, training, promotion, being dismissed;
- **Education** – enrolling or studying in a course at a private or public school, college or university;
- **Accommodation** – renting or buying a house or unit;
- **Getting or using services** – such as banking and insurance services, services provided by government departments, transport or telecommunication services, professional

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services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues; and

- **Accessing public places** – such as parks, government offices, restaurants, hotels or shopping centres.

You can also use the *Disability Discrimination Act* if you are harassed because of your disability.

For more information or to make a complaint, contact the **Australian Human Rights Commission** on **1300 656 419** or **02 9284 9888** or **1800 620 241** (toll free) or by email: [complaintsinfo@humanrights.gov.au](mailto:complaintsinfo@humanrights.gov.au).

## 15.4 Older people from culturally and linguistically diverse backgrounds and non-Australian citizens

If you are from a Culturally and Linguistically Diverse (CALD) background you may have specific requirements as you age. For example you may need services delivered in your first language; you may have specific dietary requirements based on your culture or religion; and you may need to observe certain practices that are dictated by your faith.

You may also be a member of a cultural or ethnic group or club, and your attachment to this group may be more important as you age.

There are some services, including aged care services, which cater for people from diverse cultural backgrounds with specific language and other needs.

### **(a) Aged care services for people from diverse cultural or linguistic backgrounds**

It is important your age care service provider is as responsive as possible to your language and cultural requirements. While it will not always be possible to obtain a service that is completely perfect, you should talk to your age care provider to make sure that they are providing the best possible service for your needs.

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Many aged care providers offer services for people from diverse cultural or linguistic backgrounds and offer culturally sensitive care. For example, some cater for specific language groups, diets, activities, or spiritual needs. Phone My Aged Care on **1800 200 422** to find a service near you.

#### **(b) Language services**

The **Adult Migrant English Program (AMEP)** provides free English language courses to eligible migrants. This is available to people who are over 18, have little or no English and hold a permanent visa. For more information contact the Department of Immigration and Citizenship on **133 881**.

The **Translating and Interpreting Service (TIS National)** allows you to access an interpreter over the telephone. Interpreters speak more than 170 languages and dialects and the service is available 24 hours a day. Phone **131 450** to access this service.

Older people who speak other languages can access Centrelink's **Multilingual Phone Service**. You will be able to speak to someone about payments in your own language. Phone **13 12 02** to access the service.

Centrelink and Medicare have free interpreter and translation services so ask about this at your local office.

### **(c) Multicultural Service Officers**

Centrelink has Multicultural Service Officers to help migrant and refugee people to access information about government payments and services. Around 70 Multicultural Service Officers operate across Australia from metropolitan, regional, and rural centres. Ask your local Centrelink office if this service is available to you.

### **(d) Australian residency and citizenship and income support**

To receive many Centrelink payments, including the Age Pension, you must meet residency requirements. These vary for each payment but generally, you must be an Australian citizen, hold a permanent resident visa or fall within an exception.

If you don't meet these requirements you may be able to get an Australian pension if you have lived or worked in a country that has an international social security agreement with Australia. Ask your local Centrelink staff about your eligibility for income support payments. If you need assistance with translation, call Centrelink's **Multilingual Phone Service** on **13 12 02** for information about Centrelink payments.

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#### **(e) Claiming a pension from a foreign country**

You can receive help to claim for a foreign pension from a non-agreement country by calling Centrelink **International Services** on **13 16 73** or visiting their website at [www.humanservices.gov.au](http://www.humanservices.gov.au).

#### **(f) Claiming income support while overseas**

If you don't live in Australia but are eligible for income support payments, you may be able to claim payments while you are abroad. It will depend on the type of payment. For example, a person can get a full means tested Age Pension while overseas if they have had an Australian working life residence of 25 years. People who have been a resident for less than 25 years between the ages of 16 and Age Pension age will receive a smaller proportional amount based on how many years they have been resident in Australia.

#### **(g) Centrelink's Financial Information Services translated**

Centrelink's Financial Information Service (FIS) can be accessed through an interpreter. Phone Centrelink's Multilingual Phone Service on **13 12 02** to access.

### **(h) ASIC's MoneySmart information translated**

ASIC's MoneySmart publications and audio are available in 26 languages. To access these visit [www.moneysmart.gov.au/tools-and-resources/publications/other-languages](http://www.moneysmart.gov.au/tools-and-resources/publications/other-languages).

### **(i) Language, literacy and numeracy program for employment**

Job seekers who are registered with Centrelink may be eligible to access the **Language, Literacy and Numeracy Program** to learn skills that can assist them to find employment. Contact Centrelink's Multilingual Phone Service on **13 12 02** to find out if you are eligible.

### **(j) Translating healthcare information**

**NPS Medicinewise** has translated information about medicines. It is accessible online at [www.nps.org.au/translated-health-information-about-medicines](http://www.nps.org.au/translated-health-information-about-medicines).

### **(k) Translating legal services information**

Most legal aid services offer can offer specialist help including translators and translated materials. Contact the legal aid provider in your state or territory for more information.

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ACT	Legal Aid ACT	1300 654 314
NSW	LawAccess NSW	1300 888 529
NT	NT Legal Aid Commission	1800 019 343
Qld	Legal Aid Queensland	1300 65 11 88
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	Victoria Legal Aid	1800 677 402 or 03 9269 0120
WA	Legal Aid Western Australia	1300 650 579 or 08 9261 6222

#### **(I) Race discrimination**

It is unlawful for anyone to discriminate against you because of your race. The *Racial Discrimination Act 1975* (Cth) (the RDA) makes it against the law to treat you unfairly because of your race, colour, descent, national or ethnic origin or immigrant status. Racial hatred is also against the law.



It is unlawful for people to discriminate against you in the following areas:

- **Education** – enrolling or studying in a course at a private or public school, college or university;
- **Accommodation** – renting or buying a house or unit;
- **Getting or using services** – such as banking or insurance services, services provided by government departments, transport or telecommunication services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues; and
- **Accessing public places** – such as parks, government offices, restaurants, hotels or shopping centres.

For more information or to make a complaint, contact the **Australian Human Rights Commission** on **1300 656 419** or **02 9284 9888** or **1800 620 241** (toll free) or by email: [complaintsinfo@humanrights.gov.au](mailto:complaintsinfo@humanrights.gov.au).

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#### 15.5 Lesbian, gay, bisexual, trans and intersex (LGBTI) older people

Centrelink recognises the following relationships: married couples, people in a registered relationship (opposite-sex or same sex), or people in de facto relationships (opposite-sex or same-sex).

This means that if you are in a same-sex relationship, you may be eligible for all couple-specific payments, such as bereavement payments or widow allowances.

Partnered people receive a different rate of payment to singles. Partnered people have their income and assets assessed together wherever income and assets are assessed to determine eligibility for a payment. Contact Centrelink on **13 23 00** or visit [www.humanservices.gov.au](http://www.humanservices.gov.au) for more information about your eligibility.

##### **(a) Aged care services for LGBTI people**

Some aged care providers provide aged care packages specifically for LGBTI older people. Call My Aged Care on **1800 200 422** to find a service near you.

Your aged care provider cannot deny you a service because of your LGBTI status. You can call the Australian Human Rights Commission to make

a complaint if you are discriminated against on the basis of LGBTI status. The Commission can investigate the complaint and try to resolve it by conciliation. Phone the Complaint Info Line on **1300 656 419**. You can also ask a solicitor or advocate or to make a complaint on your behalf.

### **(b) Legal services for LGBTI people**

Some states offer specialised legal services for all LGBTI people. In other states and territories contact your legal aid service.

ACT	Legal Aid ACT	1300 654 314
NSW	Gay and Lesbian Legal Advice Service (GLAS), Inner City Legal Centre	1800 244 481
NT	NT Legal Aid Commission	1800 019 343
Qld	LGBTI Legal Service Inc.	0401 936 232
SA	Legal Services Commission of SA	1300 366 424 or 08 8463 3555
Tas	Legal Aid Commission of Tasmania	1300 366 611 or 03 6236 3800
Vic	LGBTIQ Legal Advice Service, Fitzroy Legal Service	03 9419 3744
WA	Legal Aid Western Australia	1300 650 579

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#### (c) Counselling services for LGBTI people

Many states and territories offer confidential and free counselling services over the telephone. Note that these services usually operate in evening hours only. Calling **1800 18 4527 (1800 18 GLCS)** will direct you to the service in your state or territory.

NSW	Gay and Lesbian Counselling Service NSW	02 8594 9596
Qld	Gay and Lesbian Welfare Association Gay Line and Lesbian Line	07 3017 1717
SA	Gay and Lesbian Community Services	08 8193 0800
Tas Vic	Gay and Lesbian Switchboard	03 9663 2939
WA	Gay and Lesbian Community Services Telephone Counselling and Information Line	08 9420 7201

#### (d) Discrimination and LGBTI people

Discrimination against older LGBTI people is unlawful. No person should be treated less favourably because of their sexual orientation, gender identity or intersex status.

The *Sex Discrimination Act 1984* (Cth) provides protections for all people of LGBTI status, regardless of age. It is unlawful for people to discriminate against you in the following areas:

- **Employment** – getting a job, terms and conditions of a job, training, promotion, being dismissed;
- **Education** – enrolling or studying in a course at a private or public school, college or university;
- **Accommodation** – renting or buying a house or unit; and
- **Getting or using services** – such as banking and insurance services, services provided by government departments, transport services, professional services like those provided by lawyers, doctors or tradespeople, services provided by restaurants, shops or entertainment venues.

Most aged care services are funded by the Australian Government, and approximately 30 percent of these are delivered by religious organisations. It is against the law for any aged care provider, whether religious or otherwise, to discriminate against you on the basis of your LGBTI status.

For more information or to make a complaint, contact the **Australian Human Rights Commission** on **1300 656 419** or **02 9284 9888** or **1800 620 241** (toll free) or by email: [complaintsinfo@humanrights.gov.au](mailto:complaintsinfo@humanrights.gov.au).

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## Further Information

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