

GPO Box 651
BRISBANE QLD 4001

Attachment to DVA question 3



Australian Government
Department of Veterans' Affairs

«Name»
«Address_Line_1»
«Address_Line_2»
«Town» «State» «Postcode»

«File_Num»

Dear «Name»

In September 2008, I wrote to you about a proposed change to the eligibility for partner service pension for any partner under age pension age who is maritally separated from their veteran partner. **It is very important that you read the entire content of this letter.**

The legislation has now been passed by Parliament. However, there are three important changes to the information that was provided to you previously.

Firstly, the changes will now commence on **1 July 2009**. This means you have a further six months in which to consider your options.

From 1 July 2009, eligibility for partner service pension for a separated spouse will be restricted to a maximum of 12 months from the date of separation unless you have been assessed as a member of an illness separated couple or special domestic circumstances apply.

Secondly, eligibility for partner service pension will no longer be lost within 12 months of separation if your veteran spouse enters into a de facto relationship. Separated partners will have a full 12 month period from the date of their separation from the veteran to make alternative financial arrangements.

Please note that if you divorce or you enter into a de facto relationship with another person you will lose eligibility and your payment will be cancelled. This is the current situation and has not been affected by this legislative change.

Illness Separated Couple

As previously advised, if a couple have maintained a marriage-like relationship despite not being able to live together because of illness (including mental illness) they may be considered to be a member of an illness separated couple and the payment of partner service pension will continue.

To be assessed as an illness separated couple, each member of the couple is required to complete form D9157. Each member of an illness separated couple will continue to receive pension at the single rate.

Special domestic circumstances

The third change provides an exemption from cancellation of partner service pension for partners in special domestic circumstances. Special domestic circumstances are where the veteran has a psychological or mental health condition recognised by the Department and there was an unsafe domestic environment for you or your family prior to separation.

An unsafe domestic environment means there was conduct, whether actual or threatened, by the veteran partner that caused you and/or your children to fear for your personal well being or safety.

In order to establish whether special domestic circumstances apply to you, we will ask you (only) to complete a questionnaire to outline your situation.

Where there is supporting information for your situation, this should be included. This may include documents such as police reports or advice from medical practitioners.

For further information, and to request a questionnaire, please contact the special team established by DVA to provide advice and assistance with the new changes on **1300 654 052**, or by writing to:

Department of Veterans' Affairs
Attention: Mr Des Dargusch I403
GPO Box 651
BRISBANE QLD 4001

DVA will notify you in writing of any decision made, and whether your pension will continue or cease on 1 July 2009.

What if DVA does not think illness separated or special domestic circumstances apply?

If you do not qualify for illness separated or if the special domestic circumstances do not apply, it may mean rejoining the workforce or increasing the amount of hours you currently work. However, if you will still require an income support payment you may need to apply to Centrelink for a payment appropriate to your circumstances. While you may wish to contact Centrelink directly, the special team established by DVA can also facilitate any transition to Centrelink, and can be contacted on **1300 654 052**.

Centrelink

Centrelink can help you to explore your options, and assist you with increasing your workforce participation or joining the workforce.

Social Work Services

Centrelink provides a Social Work service which provides counselling and support for difficult personal or family issues, information about community support services and help with claims for payments from Centrelink. To speak directly to a Social Worker or to make an appointment to see a Social Worker, phone Centrelink on 13 1794.

Financial Information Service

The Centrelink Financial Information Service (FIS) is a service available to all members of the community. FIS officers can show you how to make informed financial decisions and help you to understand the consequences of those decisions in the short, medium and long term. To speak to a FIS officer or to make an appointment, phone Centrelink on 13 1794.

You can contact DVA

If you are unsure about the information in this letter, or require any assistance from DVA to ensure your circumstances are properly considered, you can contact the special team in DVA who will be able to clarify any matter that you are unsure of on **1300 654 052**.

Yours sincerely



Sean Farrelly
National Manager
Compensation and Income Support Policy
4 December 2008