



## Fact Sheet 3: Applying for Special Benefit When You are Experiencing Domestic Violence

### 1. Introduction

To receive a Centrelink payment, you must generally meet certain requirements (for example, residency requirements). However, in some circumstances you can receive a payment from Centrelink even if you do not qualify for other Centrelink payments. This payment is called the Special Benefit. You may be able to claim the Special Benefit if you are in financial hardship because you are experiencing domestic violence, and you do not qualify for any other Centrelink payment.

This factsheet provides information about claiming the Special Benefit if you are experiencing domestic violence.

### 2. What is the Special Benefit?

The special benefit is a payment (usually paid fortnightly) that you can claim if you are:

1. experiencing financial hardship because of reasons beyond your control, AND
2. are unable to earn enough to support themselves and any people dependent on you, AND
3. you do not qualify for any other Centrelink payment

If you meet these criteria, Centrelink will decide whether you should be paid the Special Benefit. Some limits still apply for who can receive the Special Benefit, so you should get legal advice about your situation.

#### 2.1. Rules for Special Benefit

Each Centrelink payment has slightly different requirements, but in general you must always satisfy:

- asset and income requirements
- residency requirements
- age requirements

If you are seeking the Special Benefit, the rules may apply differently:

- Assets and income requirements:
  - the assets hardship provisions may apply to you.
- Residency requirements:
  - generally, waiting periods still apply for Special Benefit, but there are exemptions if you are an Australian citizen, a refugee, or if you have experienced a significant change in circumstances beyond your control

- even if you do not residentially qualify for Special Benefit, you may be able to receive payments if you have a child who is an Australian citizen

- Age requirements

- you need to be over 18 to claim Special benefit, unless Centrelink considers you independent

### 3. Domestic Violence and Special Benefit

To receive the Special Benefit you must be in financial hardship for reasons that are beyond your control. Domestic violence can be a cause of financial hardship. Domestic violence can include both physical and non-physical behaviours and it can have a big impact on your financial situation. For example, domestic violence may mean that you:

- Are being prevented from working
- Have your access to money controlled or restricted
- Have health impacts that prevent you from working

If you are experiencing domestic violence, and you do not qualify for any other Centrelink payment, you should get legal advice about whether you can receive the Special Benefit.

### 4. Where to get help

Centrelink and social security laws are complex, and the rules can be confusing. If you are experiencing domestic violence and having issues with Centrelink, you should get some legal advice.

Canberra Community Law specialises in social security law and can give you advice and assistance with Centrelink.

### Disclaimer

This factsheet contains general information available at the time of publication. It does not constitute legal advice. If you have a specific legal problem please contact Canberra Community Law's advice line on 02 6218 7900.

Canberra Community Law is entirely independent of Centrelink. All assistance is free.