



WELFARE RIGHTS & ADVOCACY SERVICE

Disability Support Pension

If you have an ongoing physical, intellectual or psychiatric condition which stops you from working or reduces the amount of work you can do, you may be eligible for Disability Support Pension (DSP).

Who is eligible for Disability Support Pension?

To be eligible for Disability Support Pension you must be 16 or over and under Age Pension age and:

- meet the residence criteria; and
- the income and assets criteria; and
- have a permanent medical condition which impacts on your ability to work more than 15 hours per week; and
- score at least 20 points for the functional impact that your medical conditions have on you under the *Tables for the Assessment of Work-related Impairment for DSP* (Impairment Tables); and
- have a continuing inability to work; and
- have actively participated in a Program of Support (POS), unless exempt from this requirement.

A separate set of conditions applies for people who satisfy the criteria for “permanent blindness”. For information about this contact Centrelink or your local Welfare Rights Centre whose contact details are at : <http://www.ejaustralia.org.au/legal-help-centrelink/>

What are the Residence Requirements for DSP?

You must have:

- been an Australian permanent resident at the time when the medical condition occurred and there was a functional impact on your ability to work or retrain (for people with severe congenital abnormalities this was at birth); or
- 10 years of qualifying residence in Australia if the condition occurred prior to you becoming an Australian permanent resident; or
- a Qualifying Residence Exemption (i.e. reside in Australia and are either a refugee or a former refugee); or
- been born outside Australia and be a dependent child of an Australian resident at the time when the continuing inability to work or permanent blindness occurred and have become an Australian resident while still a dependent child of an Australian resident.

If you were born overseas you may be eligible to receive DSP if you qualify under an International Agreement between Australia and an Agreement country.

What are Permanent Medical Conditions?

The medical conditions may be physical, psychological or intellectual. To be considered permanent the medical condition must also be diagnosed, reasonably treated and stabilised and unlikely to improve within the next 2 years.

In deciding whether a condition has been diagnosed, reasonably treated and stabilised, Centrelink will consider the following factors:

- the date of diagnosis and who made the diagnosis;
- the nature and effectiveness of past treatment;
- the expected outcome of current treatment;
- any plans for further treatment;
- whether past, current or future treatment can be considered reasonable; and
- whether further reasonable treatment is likely to result in significant functional improvement in the next 2 years.

Further information is contained in the *Guidelines to the Tables for the Assessment of Work-related Impairment for DSP* in the Guide to Social Security Law. These Guidelines can be found on the Department of Social Services website at: [3.6.3 Guidelines to the Tables for the Assessment of Work-related Impairment for DSP | Social Security Guide \(dss.gov.au\)](#)

What are the Impairment Tables?

The Impairment Tables are used to decide your impairment rating. They look at the functional impact your medical conditions have on your ability to do certain things. You need 20 impairment points or more in either one table or across a number of the tables.

If you have more than one medical condition, each condition is assessed separately under the appropriate table and awarded its own impairment rating. The total of all the points gives the overall impairment rating.

The Impairment Tables are contained in the *Social Security (Tables for the Assessment of Work-related Impairment for Disability Support Pension) Determination 2023* and can be downloaded from the Comlaw website at: [Social Security \(Tables for the Assessment of Work-related Impairment for Disability Support Pension\) Determination 2023 \(legislation.gov.au\)](#)

Changes to the Impairment Tables from April 1 2023

New DSP Impairment Tables were introduced on 1 April 2023. The new Impairment Tables include changes to the impairment rating for some conditions. The new Impairment Tables also change the assessment criteria for assessing a condition under the Tables.

The new Tables require that a condition be “diagnosed, reasonably treated and stabilised” to qualify for assessment under the Tables.

If you applied for DSP before 1 April 2023 and your claim has been rejected, you can contact Centrelink on 13 27 17 to ask which tables were used to assess your eligibility.

If the old Tables were used to assess your DSP application, you should consider submitting a new claim to test your eligibility under the new Tables. You can do this at the same time as you appeal against the rejection of your previous DSP claim.

What is a Continuing Inability to Work (CITW)?

The permanent medical conditions must have a functional impact on you that prevents you from:

- undertaking work for at least 15 hours per week; and
- being retrained for alternative work within the next two years.

“Work” means any type of work. It does not mean work in the type of job you previously did.

Even if your medical conditions may cause problems in a work situation, you could still be considered to be able to work 15 hours per week if reasonable adjustments could be made in a workplace e.g. modifications, aides etc. Employers cannot discriminate against a person with a disability.

What if you are currently studying?

If you have been participating in a mainstream training course for at least 15 hours per week and you intend to continue your course without modification, it is unlikely that you would be considered to have a continuing inability to work regardless of what your disability is and so you would not qualify for DSP.

If you are undertaking a modified course of study, the following factors will be considered in determining whether you have a continuing inability to work 15 hours per week:

- your study-load (including the number of contact hours to attend lectures, practicals and tutorials and the number of hours of private study);
- the method of study e.g. on-campus, via correspondence or on the internet;
- whether because of your disability you have been given extra time to complete your course or assignments;
- whether you have an aide or tutor because of your disability; and
- whether you could participate in alternative training activities if your current course of study is unlikely to enable you to work within the next 2 years.

Most academic institutions have a Disability or Equity Officer who may be able to provide you with information for Centrelink if you claim DSP.

What is a Program of Support (POS)?

A Program of Support (POS) means a program set up to assist you to prepare for job seeking, as well as finding and maintaining employment. To be eligible for DSP there is a requirement that you have:

- actively participated in a program of support for at least 18 months in the preceding 3 years;
- completed a program of support; or
- been with a program of support which had to be terminated because your medical conditions alone meant that continuing would not improve your capacity to work;
- been undertaking a program of support at the time of your claim for DSP but continuing it would not improve your chances of obtaining and maintaining employment.

If you have a ‘severe impairment’ you will not be required to have met the participation in a program of support criterion. You are considered to have a severe impairment if you have a rating of at least 20 points on a single impairment table.

If you have been registered as a jobseeker and trying to find work with the assistance of a Workforce Australia provider, Disability Employment Service (DES) provider or the Community Development Programme (CDP) for 18 months prior to your claim for DSP this may satisfy the POS requirement for DSP. Working in Australian Disability Enterprises is also considered to be participation in a POS.

Income and Asset Tests for DSP?

Even if you qualify for DSP you will only be able to be paid if you meet the Income and Asset Tests criteria. If you are receiving an income support payment like jobseeker payment then you will

already have had your income and assets checked. You will only need to update them if something has changed.

How to Claim Disability Support Pension?

First - lodge a Claim

You can claim online if you have a myGov account linked to Centrelink. If you don't have a myGov account or a Centrelink account you will need to set one up. If you are not able to claim online there is a claim form on the Services Australia website at:

<https://www.servicesaustralia.gov.au/individuals/forms/sa466>

If you don't have a printer then you can either go into a Centrelink Office or ring the Disability Line on 132 717. You will be required to lodge paperwork in support of the application and it is important to do that within the time frame specified. If you need more time contact Centrelink to ask for an extension of time to lodge the information/paperwork.

If you are not already receiving a payment from Centrelink you may be able to be paid Jobseeker Payment whilst you are awaiting the outcome of your DSP claim. Eligibility for Jobseeker Payment is subject to the relevant income and assets test. A jobseeker claim can be processed more quickly so you will have a payment while you wait.

What information will be needed for my DSP claim?

You will also have to provide Centrelink with medical evidence about all of your medical conditions and evidence that you have participated in a Program of Support.

You will be asked to complete a consent to disclose medical information form if Centrelink need to speak to your treating health professional. You do not have to complete this form but if you don't Centrelink may not have enough information to assess your claim.

The relevant forms can be downloaded from the Services Australia website at:

<https://www.servicesaustralia.gov.au/individuals/services/centrelink/disability-support-pension/how-claim>

Medical Evidence

Centrelink has a Claim for Disability Support Pension Medical Evidence Checklist form (SA473) which explains the information which may be helpful for your claim. The checklist can be accessed at:

<https://www.servicesaustralia.gov.au/individuals/forms/sa473>.

Another helpful form is the checklist for treating health professionals which can be accessed at: [Claim for Disability Support Pension Medical Evidence Checklist for treating health professionals form \(SA478\) - Services Australia](#)

At the start of each impairment table there is a list of what medical evidence can be relevant to that condition.

You should take a copy of the most relevant impairment tables relating to your condition to your doctor so they can look at the relevant evidence and give their an opinion about how many points they would award you in relation to your condition.

You can ask your nearest Welfare Rights centre to give you copies of the Impairment Tables if you can't access them (contact details at: <http://www.ejaustralia.org.au/legal-help-centrelink/>).

Evidence that you have participated in a Program of Support

Unless your treating health professionals think you will be assessed as having 20 points on one impairment table you will need to get information about your current and previous participation with a POS.

What is a Job Capacity Assessment (JCA)?

Centrelink will look at all of your evidence and you will usually be referred for a Job Capacity Assessment (JCA), unless you do not meet the non-medical eligibility requirements such as residency or you have been assessed as being manifestly eligible. The assessor will consider whether your conditions are permanent and if so assign a rating.

Following a JCA, you may be referred for a face-to-face Disability Medical Assessment with a government-contracted doctor. The doctor will review your medical evidence to confirm:

- your diagnosis is supported by the evidence;
- your condition is diagnosed, reasonably treated and stabilised;
- your condition is permanent for the purpose of DSP qualification; and
- the impairment rating assigned by the JCA using the Impairment Tables is supported by the evidence.

They will then provide the assessment to Centrelink to decide if you are eligible for DSP.

What is a manifest impairment?

Some examples of impairments that Centrelink will accept as being manifest are:

- Terminal illness with a life expectancy of less than two years;
- Intellectual disability with IQ of less than 70;
- Category IV HIV/AIDS; and
- Where a person requires nursing home level care.

What are my Appeal Rights?

You can appeal a decision to reject your claim for DSP. You must ask for a review within 13 weeks of receiving the rejection letter if you want to be back paid to the date of your claim. If you ask for a review after 13 weeks you can only be paid from the date you lodged your appeal if you are successful.

For more information see our factsheet – [Appealing-Decisions-Centrelink-Final13.07.2016.pdf \(wraswa.org.au\)](#).

New information supporting the claim can be provided at any stage of the appeals process but will only be considered if it relates to your conditions during the period starting from the date you first lodged your DSP claim and for the next 13 weeks from the date of the claim.

Other Resources

There are a number of resources that are available about DSP.

The Services Australia website has information about Disability Support Pension at: <https://www.servicesaustralia.gov.au/individuals/services/centrelink/disability-support-pension>

The Guide to Social Security Law (The Guide) is an interpretation of Social Security Law and is used by Centrelink. It is useful to look at section 3.6.1 DSP - Qualification & Payability in the Guide which can be found on the Department of Social Services website at: <http://guides.dss.gov.au/guide-social-security-law/3/6/1>

Where can I get assistance?

If you have any questions about applying for DSP or appealing you should contact your local Welfare Rights Centre (contact details at: <http://www.ejaustralia.org.au/legal-help-centrelink/>).

Please note: This information contains general information only and is accurate at 1 April 2023. It does not constitute legal advice. If you need legal advice about social security entitlements, please contact your local Welfare Rights Centre/Advocate. Welfare Rights Centres are community legal centres, which specialise in social security law, administration and policy. They are entirely independent of Centrelink. All assistance is free. Contact Welfare Rights & Advocacy Service on (08) 93281751 or by email at welfare@wraswa.org.au