

Disability Support Pension

How Legal Aid NSW
can help you



To get Disability Support Pension (DSP) there are four things you have to show:

1. Your medical conditions are permanent

To get DSP you need to show you have a permanent medical condition. Your condition must already be diagnosed. You must have done all the reasonable recommended treatment and show your condition is unlikely to get better even with that treatment.

If you suffer from a mental health condition, you must have a diagnosis by a psychiatrist or by your GP after you have seen a clinical psychologist.

If you only started treatment a short time ago, it may be better to continue this treatment for at least a few months before you lodge a claim for DSP.

2. Your medical conditions give you at least 20 points

If your medical condition is permanent Centrelink can give you points for that condition using special Impairment Tables. Centrelink will decide how many points you get for each of your medical conditions. You need at least 20 points to get DSP.

The Impairment Tables are available on the internet at: www.comlaw.gov.au/Details/F2011L02716

3. You are unable to work or re-train

You must be able to show that your medical conditions stop you from:

- working for at least 15 hours a week, and
- being trained to do a job you have not done before by doing, for example, an education course or on-the-job training.

4. You have done a program of support

Before you claim DSP you must have attended a program to try to get work with a job network provider or a disability employment services provider.

Your program might include looking for jobs, studying, work experience or a rehabilitation program.

Usually you must have done the program for a total of 18 months in the three years before you claim DSP. There are very limited exceptions to this rule.

Periods where you are given an exemption from attending the program do not count towards the 18 months.

You do not have to do a program of support if you get 20 points or more under just one Impairment Table.

What information should you give Centrelink?

- A report from your GP listing all your medical conditions and what treatment you've had
- Reports from:
 - › specialists
 - › physiotherapists
 - › psychologists
 - › psychiatrists
- CT scans, MRIs and X-ray reports

Give this brochure to your doctor when you ask her/him to give you medical reports for your DSP claim.

This will help your doctor know what information Centrelink needs.

What can you do if Centrelink refuses or cancels your Disability Support Pension?

If you disagree with the decision, you can appeal to a Centrelink Authorised Review Officer. You can write a letter or just tell a Centrelink officer you want to appeal.

If you want to appeal, you should do it as soon as possible. If you do not appeal within 13 weeks of the date of the Centrelink decision, you might miss out on back payments even if you win your appeal.

Need more help?

Call LawAccess NSW on **1300 888 529** for information and advice about any Centrelink or DSP problems.



This publication is a general guide to the law. You should not rely on it as legal advice, and we recommend that you talk to a lawyer about your situation.

The information is correct at the time of printing, however it may change. For more information contact LawAccess NSW on **1300 888 529**.

This publication is available in Arabic, Dari/Farsi, Chinese (Sim), English, Tamil and Vietnamese.



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