

## 2 How to Apply for ABSTUDY

### Table of Contents

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2 How to Apply for ABSTUDY .....	1
Table of Contents .....	1
2.1 How to Apply for ABSTUDY .....	2
Overview .....	2
2.1.1 Who should be the Applicant? .....	3
2.1.1.1 Student and Parent/Guardian Applicant.....	4
2.1.1.2 Disputed Responsibility .....	5
2.1.1.3 Interim Applicant .....	6
2.1.2 How to Lodge a Claim .....	9
2.1.2.1 How to Lodge a Claim .....	10
2.1.3 Supporting Documentation .....	12
2.1.3.1 Proof of Enrolment.....	13
2.1.3.2 Proof of Age.....	15
2.1.3.3 Proof of Income .....	17
2.1.3.4 Health Care Card.....	19
2.1.3.5 Proof of Australian Citizenship.....	20

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## 2.1 How to Apply for ABSTUDY

### Overview

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**Introduction** Applications for ABSTUDY are made by either the student, a parent/guardian or an interim applicant. Interim applications may only be accepted in limited circumstances (see 2.1.1.3). This chapter provides details relating to claims for ABSTUDY.

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**Integrity of information** All information provided by the applicant on the claim form must be true and accurate. Refer to Chapter 1.5.3 “Customer Obligations”.

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**In this chapter** This chapter contains the following topics:

Topic	See Page
2.1.1 Who should be the Applicant	2-3
2.1.2 How to Lodge a Claim <b>Error! Reference source not found.</b>	2-9
2.1.3 Supporting Documentation	2-12

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## 2.1.1 Who should be the Applicant?

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**Introduction** There are four types of acceptable applicants for ABSTUDY. They are:

- students;
- parents or guardians;
- interim applicants; and
- institutions.

This topic covers each of these groups individually.

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**In this topic** This topic is divided into the following sections:

<b>Section</b>	<b>See Page</b>
2.1.1.1 Student and Parent/Guardian Applicant	2-4
2.1.1.2 Disputed Responsibility	2-5
2.1.1.3 Interim Applicant	2-6
2.1.1.4 Institutions as applicants	2-8

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## 2.1.1.1 Student and Parent/Guardian Applicant

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### 2.1.1.1.1 Eligibility to apply - student

The student may apply for ABSTUDY assistance if they are:

- a school student and will be 16 years of age or over in the year of assistance;
  - a school student and meets one of the independent status criteria;
  - enrolled in or intending to enrol for tertiary or postgraduate study; or
  - receiving a Commonwealth Government pension, eg Sole Parent Pension or Disability Support Pension.
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### 2.1.1.1.2 Eligibility to apply - other person

For school students other than those specified above, an ABSTUDY claim form is to be completed by the person who has the responsibility for care and maintenance of the student and with whom the student normally lives. The applicant will be:

- either of the student's natural or adoptive parents, where the student lives with the natural or adoptive parents;
  - the natural or adoptive parent with whom the student lives, where the student's natural or adoptive parents are separated and the student lives with one of them;
  - a guardian, where responsibility for the student's care has been assumed by a guardian with whom the student normally lives;
  - the foster parent, guardian or parent(s) as appropriate (see the three dot points above), where the student is in State care but placed in the care of foster parent, guardian or parent(s);
  - an appropriate responsible officer of the relevant State/Territory authority, where the student is in government care and is living in an institution; or
  - where the student would, but for reasons of age, qualify as an orphan or as a homeless student and is in the care of a person or institution, that person or an official of that institution.
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## 2.1.1.2 Disputed Responsibility

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### **2.1.1.2.1 Doubt as to who has responsibility**

Where more than one person has applied for ABSTUDY on behalf of a student or there is doubt as to who is the parent/guardian, investigations will be carried out with:

- both people, and/or
- with the applicants' knowledge, an independent authority such as a school or welfare worker,

to determine who is the most suitable person to apply. Advice may also be sought from the student.

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### **2.1.1.2.2 Considerations in determining applicant**

The following should be considered in determining who is the most suitable person to apply:

- whether the student lives with the applicant and has done so in the last twelve months;
  - whether the student lives with the applicant during vacations;
  - who is responsible for the care of the student, eg providing food and shelter;
  - who contributes regularly and significantly to the student's living and education costs;
  - who receives Family Payment or other allowances in respect of the student; and/or
  - who has been awarded custody of the student.
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## 2.1.1.3 Interim Applicant

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### 2.1.1.3.1 Eligibility to apply

An interim claim on behalf of a student can be accepted where:

- the student or person who would normally apply on behalf of the student is not able to submit a claim because of exceptional circumstances, such as serious illness;
- the person who submits the interim claim has temporary care of the student, is able to make an informed declaration about the student's Aboriginality and is prepared to accept ABSTUDY conditions; and
- Centrelink has no reason to believe that by accepting an interim claim it is not following the wishes of the student or parent/long-term guardian in respect of the student's schooling.

**Note 1:** Interim claims can only be accepted when the interim applicant has the student in their care temporarily. Interim claims will not be accepted from a school or school official, except in the circumstances outlined in 2.1.1.3.2 below.

**Note 2:** This information does not apply to Boarding Schools making claims on behalf of applicants. Please refer to 2.1.1.3.2 in these circumstances.

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### 2.1.1.3.2 Circumstances when interim claims can be accepted from boarding schools

Interim claims can be accepted from boarding schools only in the following circumstances:

- the student or person who would normally apply on behalf of the student is not able to submit a claim because of exceptional circumstances, such as serious illness, remote locality;
- the claim is lodged in the student's first term at the school;
- the boarding school accepts responsibility for obtaining a full claim from the student's parent/guardian; and
- the institution accepts responsibility for the student's boarding and tuition fees where a complete claim is not subsequently lodged by the student's parent/guardian; and
- Centrelink has no reason to believe that by accepting an interim claim it is not following the wishes of the student or parent/long-term guardian in respect of the student's schooling.

Where the above circumstances are met, Fares Allowance for the student's first two terms at the school can be approved. Where a full claim from the student's parent/guardian has not been received by the student's second term, no further Fares Allowance is to be approved.

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### 2.1.1.3 Interim Applicant, Continued

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#### 2.1.1.3.3 Approval of entitlements

Where an interim claim has been accepted:

- the delegate may, based on available information, approve only ABSTUDY non-income tested allowances, including Fares Allowance; and
- a complete claim must be lodged as soon as possible by the appropriate person.

This provision applies to both individuals and boarding schools making interim claims.

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## 2.1.1.4 Institutions as applicants

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### 2.1.1.4 Approval of entitlements

Institutions may be considered applicants for the purposes of:

- for Away-from-base submissions;
  - interim claims for boarding school students; and
  - hostels under a 'Hostels Agreement'.
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## 2.1.2 How to Lodge a Claim

**In this topic** This topic is divided into the following sections:

Section	See Page
2.1.2.1 How to Lodge a Claim	2-9

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## 2.1.2.1 How to Lodge a Claim

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### 2.1.2.1.1 Lodgement

An ABSTUDY claim form may either be lodged in person or by mail.

A completed ABSTUDY claim form (approved by DEST), signed by an applicant, is the document by which ABSTUDY benefits may be approved unless an interim claim is lodged.

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### 2.1.2.1.2 Date of lodgement

Students may advise Centrelink that they have an intent to lodge an application.

Where the application is actually lodged within three months of advising the intent, the application will be deemed to have been lodged on the date of notification of intent. Intent of lodgement of the ABSTUDY claim form must also meet the closing date specified in 2.1.2.1.3. This includes an ABSTUDY claim being accepted where an incorrect or inappropriate claim for another payment was lodged on time, eg FACS PES, Youth Allowance, Austudy payment or Assistance for Isolated Children.

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### 2.1.2.1.3 Closing date for claims

The table below lists the closing dates for lodgement of ABSTUDY claims with Centrelink.

<b>If the applicant is applying for..</b>	<b>then the closing date is...</b>
a full-year course	by the end of the calendar year.
a course of less than one year	by the end of the course.
Testing and Assessment	two weeks prior to the start of the activity.

The table below lists the closing dates for lodgement of PES claims with Centrelink.

<b>If the applicant is applying for...</b>	<b>then the closing date is...</b>
a full-year course	by 31 March
a second semester course	by 31 July
a course of less than one year	28 days from the commencement of the course
Testing and Assessment	two weeks prior to the start of the activity.

In all cases, claims must be lodged prior to the student discontinuing study.

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## 2.1.2.1 How to Lodge a Claim, Continued

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### 2.1.2.1.4 Closing date for additional information

There is no closing date for acceptance of additional information.

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### 2.1.2.1.5 Lodgement within the prescribed time

Where a claim is lodged on or before the applicable closing date (2.1.2.1.3), or where the delegate considers that the claim would, but for circumstances beyond the applicant's control, have been lodged by the applicable closing date, students may receive full benefits in accordance with their approved entitlements.

The applicant must provide a written statement explaining the reason for late lodgement of the claim. Other evidence to the delegate's satisfaction may also be requested.

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### 2.1.2.1.6 Before processing can occur

Before processing can occur, an ABSTUDY claim form must:

- be signed by an eligible applicant (see 2.1.1.1.1, 2.1.1.1.2, 2.1.1.3.1 and 2.1.1.3.2); and
- be lodged within the prescribed time (see 2.1.2.1.3).

**Note:** Applications from residents of remote communities require a signature from only one parent or guardian.

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### 2.1.2.1.7 Benefits not approved

No benefits may be approved for a student:

- in respect of a year for which there is no ABSTUDY claim form (but see 2.1.2.1.2); or
  - before the claim form has been approved by a delegated officer.
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### 2.1.2.1.8 New form required

A new claim form must be lodged when there is a change of applicant for an under 16 years schooling student.

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## 2.1.3 Supporting Documentation

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### **Introduction**

ABSTUDY claims generally require documentation to support details provided in the claim. This supporting documentation may include:

- proof of enrolment;
- proof of age;
- proof of income;
- a Health Care Card; and/or
- proof of Australian citizenship

This topic covers the types of acceptable documentation and when they must be presented.

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### **In this topic**

This topic is divided into the following sections:

<b>Section</b>	<b>See Page</b>
2.1.3.1 Proof of Enrolment	2-13
2.1.3.2 Proof Age	2-15
2.1.3.3 Proof of Income	2-17
2.1.3.4 Health Care Card	2-19
2.1.4.5 Proof of Australian Citizenship	2-20

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## 2.1.3.1 Proof of Enrolment

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### 2.1.3.1.1 Who must provide proof of enrolment?

Students must provide proof of enrolment if they are studying at an institution other than a secondary school.

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### 2.1.3.1.2 Acceptable documents

#### **DIFFERENT TO Youth Allowance / AUSTUDY PAYMENT**

Acceptable proof of enrolment is:

- the original or a photocopy of the institutions enrolment advice to the student;
- an enrolment fee receipt;
- a HECS liability statement;
- a student identification card (where period of enrolment is specified on the card); or
- proof of registration for Open Learning students.

**Note: Courses which are conducted as modules across semesters and calendar years are to be treated in the same way as an articulated study course with continuity of payment (see 4.1.1.7 and 4.1.1.8).**

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### 2.1.3.1.3 Period of grace

If acceptable proof of enrolment is not provided with an ABSTUDY claim as required, the documentation must be provided within two weeks of the nominated date of commencement of the course.

Subject to the normal eligibility criteria being met, payments may commence in the interim for up to two weeks from the date nominated by the student as the date s/he would commence the course.

If proof of enrolment documents are not provided within the two week period of grace, payments are to be stopped and an overpayment raised.

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## **2.1.3.1 Proof of Enrolment, Continued**

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### **2.1.3.1.4 Reassessment**

Should acceptable proof of enrolment documents be provided after ABSTUDY payments are stopped, the claim should be reassessed as eligible for the full study entitlement period.

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## 2.1.3.2 Proof of Age

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### 2.1.3.2.1 Who should provide proof of age?

Students must provide proof of age with their ABSTUDY claims or within the period of grace if they:

- are not eligible for one of the ABSTUDY proof of age exemptions (see 2.1.3.2.3); and
- will be turning 16 years old during the year of study; or
- will be 16 years or older in the year of study.

**Note:** See below for explanations of period of grace and exemptions to proof of age.

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### 2.1.3.2.2 Acceptable documents

Acceptable proof of age can be an original or certified copy of a:

- birth certificate or extract;
- driver's licence;
- passport;
- other government documentation that contains the date of birth of the student; or
- other non-government documentation that contains the date of birth of the student.

Students turning 16 years of age during the year of study who are **unable** to obtain and provide an official birth certificate may provide a written statement from their primary school principal attesting to the student's date of birth.

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### 2.1.3.2.3 Exemptions

Proof of age is not required for students who:

- are continuing students turning 17 years or older in the year of study and have previously provided acceptable proof of age, or
  - will be under 16 years throughout the year of study.
- 

### 2.1.3.2.4 Period of grace

Students turning 16 years old during the year of study who do not provide acceptable proof of age documents with their ABSTUDY claim as required, the documentation must be provided within four weeks (28 days) from the date of initial assessment or by the 16th birthday, whichever is later.

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## 2.1.3.2 Proof of Age, Continued

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**2.1.3.2.5  
Payments** Subject to the normal eligibility criteria being met, payments may commence in the interim for up to four weeks (28 days) from the date of initial assessment, or up to the student's 16th birthday, whichever is later.

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**2.1.3.2.6  
Proof of age not  
provided** If proof of age documentation is not provided within four weeks (28 days) from the date of initial assessment (or by a student's 16th birthday), payments are to be stopped and an overpayment raised.

The Centrelink ABSTUDY Manager may approve an extension of time to provide proof of age documentation for an appropriate length of time where this is considered necessary.

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**2.1.3.2.7  
Re-assessment** Should acceptable proof of age documents be provided after ABSTUDY payments are stopped, the claim should be reassessed as eligible for the full entitlement period.

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## 2.1.3.3 Proof of Income

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### 2.1.3.3.1 Who should provide proof of income?

Prior to payment of Living Allowance (Basic Payment), acceptable proof of income documentation must be provided by:

- parents/guardians of a dependent student who is subject to the parental income test; or
- the partner of an independent student who is subject to the partner income test.

**Note:** See 2.1.3.3.2 for exemption to the proof of income requirements.

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### 2.1.3.3.2 Exemption

Where a taxation return has been lodged for the applicable financial year, proof of income is not required from the parent/guardian or partner of a continuing student (ie, where the student is **continuing study in the same course as a full-time student without interruption from the previous academic year**). In these cases, parental or partner income will be verified through data matching with the Australian Taxation Office.

**Note:** Income details are not required in the following circumstances:

- where special assessment applies (see 6.3.3); or
- from the applicant for a student who:
  - . but for reasons of age (i.e, has not reached the minimum school leaving age - see 5.5.1.3), would qualify as an orphan, a student whose parents cannot exercise parental responsibilities or as a homeless student (see 5.3.4.7, 5.3.3.10, 5.5), or
  - . is living under an officially approved substitute care arrangement (see 5.4).

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## 2.1.3.3 Proof of Income, Continued

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### 2.1.3.3.3

#### Acceptable proof of income

#### Acceptable proof of income

- a Tax Assessment Notice from the Australian Taxation Office for the financial year prior to the year of study;
  - Group Certificate(s) accompanied by a statutory declaration or letter from an accountant, stating the Group Certificates represent all income received in the financial year prior to the year of study;
  - a copy of taxation returns;
  - a statement of income from an employer or accountant;
  - a statement of income from Centrelink;
  - for income earned in a foreign country, a statement of salary or other records from an employer or, in their absence, a statutory declaration;
- or
- a statutory declaration from a partner or parent/guardian who has no income or no other proof of income.
- 

### 2.1.3.3.4

#### Provision of documentation

Documentation may be supplied as follows:

- Tax Assessment Notices - photocopies are acceptable;
- original document(s) may be mailed in with the claim, in which case certified copies will be taken of the document(s) which will then be returned to the client; or
- original document(s) and the claim may be taken by the client to Centrelink.

Copies of the document(s) will be taken and the originals will be returned to customer.

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## 2.1.3.4 Health Care Card

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### 2.1.3.4.1 Who should provide a Health Care Card

When making application for ABSTUDY, proof that the parent or partner is a holder of a current Health Care Card is accepted for special assessment (see 6.3.3.2).

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### 2.1.3.4.2 Provision of proof of Health Care Card

Parents and partners may prove that they hold a current Health Care Card by either:

- taking the Health Care Card with the claim to a Centrelink Customer Service Centre, or
- sending a photocopy of the Health Care Card that clearly shows the dates of entitlement.

**Note:** Original documents posted with claims will be photocopied and returned to clients.

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## 2.1.3.5 Proof of Australian Citizenship

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### 2.1.3.5.1 Who must provide proof of citizenship?

Students must provide proof of Australian citizenship if they are a new student.

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### 2.1.3.5.2 Acceptable documents

Acceptable proof of Australian citizenship is:

- birth certificate or extract;
  - passport; or
  - other government documentation that contains details of the student.
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### 2.1.3.5.3 Provision of documentation

Documentation may be supplied as follows:

- original birth certificate or extract; or
  - Australian citizenship certificate or official copy.
-