

Thinking about living in Australia?

There are some changes
New Zealanders need to know about.



This information has been produced
by the New Zealand Government.

Introduction

This booklet gives some general information on changes which may affect New Zealand citizens (referred to here as 'New Zealanders') who are thinking about living in Australia. If you need more detailed information on the changes, there is a list of agencies you can contact at the back of the booklet.

What's changing?

The New Zealand and Australian governments have recently agreed **revisions to the Social Security Agreement between the two countries**. The revised Agreement will come into effect on 1 July 2002.

The Australian Government has also announced **changes to residency and citizenship arrangements for New Zealanders moving to Australia** which took effect on 26 February 2001. These changes will not affect New Zealanders' ability to visit, live and work in Australia, but will affect their access to a number of social security benefits.

You need to read this booklet if you are:

A New Zealander about to move to Australia to live	✓
A New Zealander thinking about moving to Australia to live	✓
A New Zealander planning to or thinking about retiring in Australia	✓
A New Zealand citizen in Australia	✓
A New Zealander who wants to know how the new arrangements might affect family members living in or thinking about moving to Australia	✓
A New Zealander unsure about whether the new arrangements will affect you or your family	✓
An Australian living in New Zealand unsure about whether the new arrangements will affect you or your family	✓

If you're a New Zealander planning a holiday in Australia or about to leave for a holiday there, these changes don't affect you.

If you are NOT a New Zealand citizen, these changes don't affect you. You will still be required to apply for a visa to enter Australia, and the current rules which apply to you won't change.

What the changes mean

The Social Security Agreement

The revised Social Security Agreement between New Zealand and Australia will affect a number of social security benefits paid to people who have lived in both countries. If approved by the New Zealand and Australian governments, the revised Agreement will change the way some benefits and pensions are paid, and affect eligibility for some other benefits. The changes will take effect on 1 July 2002.

People receiving benefits or pensions under the existing Agreement are not affected by the changes - they will continue to get their payments as they do now until they go off the benefit or pension they are receiving. People who apply for a benefit or pension under the existing Agreement before 1 July 2002 will also be covered by the current arrangements.

Residency and citizenship changes

Australia has also announced some changes to its residency and citizenship rules which mean that after 26 February 2001 New Zealanders moving to Australia to live won't have the same social security entitlements as New Zealanders already living in Australia. It won't affect New Zealanders' ability to live and work in Australia.

- New Zealanders arriving in Australia after 26 February 2001 will need to apply for and be granted permanent residence in Australia before they can access a number of social security benefits or be eligible to apply for Australian citizenship.
- New Zealanders arriving in Australia after this date will continue to be automatically granted a Special Category Visa, a temporary visa which allows New Zealand citizens entry into Australia without first applying for permanent residence.
- New Zealanders who move to Australia between 26 February 2001 and 26 May 2001 may not be affected by the changes. There is more about this on page 4.

More details on the changes are given on the following pages, and some commonly asked questions are answered on pages 8 to 15. If you find you need more detailed information on the changes, the names and contact details of agencies in Australia and New Zealand are listed at the end of the booklet.

What's changing and when

► From 26 February 2001 – changes to residency and citizenship rules

New Zealanders will still be able to live and work indefinitely in Australia. They will continue to be granted a Special Category Visa (SCV) on entry to Australia, providing they meet health and character criteria, as is the case now.

However, New Zealand citizens who arrive in Australia on a SCV after 26 February 2001 will need to apply for and be granted permanent residence status in Australia before they are able to access a number of Australian social security benefits or be eligible to apply for Australian citizenship.

Benefits affected by the changes include the Australian equivalents of the Community Wage, Emergency Benefit, Transitional Retirement Benefit and some categories of Domestic Purposes Benefit and Widows Benefit. Eligibility for the Australian equivalent of the Community Services Card is also affected for some people.

Not all New Zealanders are affected

There are some New Zealanders who are not affected by the changes and will continue to be treated as having permanent residence status, namely New Zealanders who:

- are in Australia on 26 February 2001
- are outside Australia on 26 February 2001 but have spent at least one year there on a SCV in the two years immediately before this date and return to Australia within 12 months of the changes taking effect.

If you are not a New Zealand citizen you will still need a visa to enter Australia, and the rules which currently apply to you don't change.

There is already a two-year waiting period for a number of benefits and pensions not covered by the Social Security Agreement between New Zealand and Australia. This waiting period will continue to apply for people who have permanent residence status.

Other exceptions

There are some other exceptions to the new rules. New Zealanders who arrive in Australia after 26 February 2001 will be able to obtain an Australian social security benefit if they:

- are entitled to a payment that is covered by the existing Social Security Agreement between Australia and New Zealand or, after 1 July 2002, the revised Agreement
- have obtained a permanent residence status and have lived in Australia for a total of two years. People will be able to count all previous periods of time spent living in Australia towards the two year waiting period
- arrive in Australia on a SCV before 26 May 2001 and within three years of arrival apply for and are confirmed by the Australian agency Centrelink (the equivalent of Work and Income NZ) as having assumed residence in Australia. They must also have been living in Australia for two years.

Australians living in or planning to move to New Zealand

Australians living in or planning to move to New Zealand will only be affected by the changes to the Social Security Agreement, which come into effect on 1 July 2002.

The current citizenship and residency rules will continue to apply to Australians living in New Zealand now or planning to move to New Zealand.

Answers to some commonly asked questions on Australia's new residency and citizenship rules can be found on page 10. More detailed information is available by calling the NZ to OZ Helpline toll free on 0800 441 248 or visiting www.nz-oz.gov.au.

► From 1 July 2002 – the revised Social Security Agreement

The revised Social Security Agreement will change the way the following benefits and pensions are paid to people who have lived in both New Zealand and Australia:

Australian benefits and pensions	New Zealand benefits and pensions
Age Pension	New Zealand Superannuation
Carer Payment (for the partners of Disability Support Pensioners)	Veterans Pension
Disability Support Pension	Invalids Benefit

Under the revised Agreement New Zealand and Australia will each make a part-payment to people who have lived in both countries. The combined payment will be comparable to what people would get if they were receiving just the social security benefit or pension from the country they are living in, allowing for fluctuations associated with changes to the exchange rate.

New Zealanders living in Australia who apply for an Age Pension or Disability Support Pension after 1 July 2002 may be required to claim a part-payment of New Zealand Superannuation, Veterans Pension or Invalids Benefit from Work and Income NZ. Similarly, New Zealanders who have spent some of their working life in Australia and apply for New Zealand Superannuation, Veterans Pension or Invalids Benefit after they return to New Zealand may need to apply to Centrelink in Australia for a part-payment of the Australian Age Pension, Disability Support Pension, or Carer Payment (for the partners of Disability Support Pensioners).

Whether people receive payments from both Australia and New Zealand and how much they receive from each country will depend on how long they lived in each country:

- between the ages of 20 and 65 years for the Australian Age Pension, New Zealand Superannuation and Veterans Pension
- between the age of 20 years and the age at which the disability occurred for Disability Support Pension, Carer Payment (for the partners of Disability Support Pensioners) and some categories of Invalids Benefit.

The amount people are eligible to receive will depend on their individual circumstances.

Other benefits and pensions affected by the revised Agreement

When the revised Agreement takes effect, New Zealanders living in Australia will only be able to access some other benefits, including the Australian equivalents of Widows Benefit and Domestic Purposes Benefit, if they have permanent residence status and meet residency or citizenship criteria for the benefit concerned.

Access to Invalids Benefit and the Australian equivalent (Disability Support Pension) will also change. Under the revised Agreement only people who have lived in both countries before the qualifying disability occurred, whose disability is severe and whose qualifying disability occurred in New Zealand or Australia will qualify for the Invalids Benefit/Disability Support Pension. New Zealanders in Australia who don't meet these criteria will only be able to access Disability Support Pension if they have permanent residence status and meet the residency criteria for this pension.

Australians who do not meet these criteria will only qualify for Invalids Benefit if they meet New Zealand residency criteria. However, they may be entitled to other social security assistance.

Australians living in New Zealand and New Zealanders returning to New Zealand will need to meet the New Zealand residency criteria for Widows Benefit or Domestic Purposes Benefit in order to qualify for these benefits. If they have no dependent children or their children were born outside New Zealand these people will only qualify for Widows Benefit or Domestic Purposes Benefit if they became a widow or sole parent while in New Zealand. However, they may be entitled to other social security assistance.

The changes that take effect on 1 July 2002 will only affect people who apply for one of these payments after this date.

Information on the current arrangements and the benefits affected by the revised Agreement is available in New Zealand from Work and Income NZ on 0800 777 577 or, if calling from outside New Zealand, +64-4-916 2437 (international call charges will apply).

Some commonly asked questions

What is happening?

The Social Security Agreement between New Zealand and Australia has been revised. The revised Agreement will come into effect on 1 July 2002, and will change the way some benefits and pensions are paid.

The Australian Government has also announced changes to residency and citizenship arrangements for New Zealanders moving to Australia which took effect on 26 February 2001. These changes will not affect New Zealanders' ability to visit, live and work in Australia, but will affect their eligibility for a number of social security benefits.

Why are the changes being made?

The revised Social Security Agreement secures a long-term and affordable approach to the payment of certain social security benefits, which has been an issue between the two countries for a number of years.

At the same time the revised Agreement recognises the right of each country to determine access to social security benefits not covered by the Agreement.

The revised Social Security Agreement

What are the main changes?

The revised Social Security Agreement will mean you may need to apply for two payments – one each from both Australia and New Zealand. The combined payment will be comparable to what you would have received if you were entitled to just the social security pension from the country you are living in, allowing for fluctuations associated with changes to the exchange rate.

Some benefits are not covered by the revised Agreement, and you will need to meet residency and citizenship criteria for the country in which you are living to qualify for payment of these benefits.

Will I need to apply for two payments if I am already receiving a benefit from New Zealand or Australia before 1 July 2002?

No. Only people who have lived in both countries and apply for one of the following benefits after 1 July 2002 will need to apply to both countries:

Australian benefits and pensions	New Zealand benefits and pensions
Age Pension	New Zealand Superannuation
Carer Payment (for the partners of Disability Support Pensioners)	Veterans Pension
Disability Support Pension	Invalids Benefit

How can I find out whether I might be affected?

If after reading this booklet you think you might be affected by the revised Agreement and want to know more, you can contact one of the agencies listed at the back of the booklet.

Will I be able to retire to Australia if I have never lived there before?

New Zealanders will still be able to live in Australia indefinitely, as they do now. You may be able to receive payment of New Zealand Superannuation or Veterans Pension even if you haven't lived in Australia before. If you want more information on how you might be affected after 1 July 2002 or on the current arrangements you should call Work and Income NZ on 0800 777 577 or, if calling from outside New Zealand, +64-4-916 2437 (international call charges will apply).

How will I know whether I need to apply to both Australia and New Zealand to get my payments?

The changes don't take effect until 1 July 2002 and will only apply to people who apply for benefits or pensions covered by the Agreement after that date. To find out whether you need to apply for a payment from both countries you can contact Work and Income NZ or Centrelink in Australia. Either of these agencies will be able to tell you whether you need to apply to the other country, and assist you with this process.

How much will I be eligible to receive?

The combined payment will be comparable to what you would have received if you had only one social security payment from either country, allowing for fluctuations associated with changes to the exchange rate. The amount you are eligible to receive will depend on your individual circumstances.

What other help can I get?

You may qualify for the Australian Commonwealth Seniors Health Card or Health Care Card in certain circumstances, but you should contact Centrelink in Australia to check your eligibility.

I'm a New Zealander who meets the criteria for the Invalids Benefit in New Zealand – will I automatically qualify for the equivalent benefit (Disability Support Pension) in Australia?

No. Your disability must be severe, you must have lived in both countries before your qualifying disability occurred, and the qualifying disability must have occurred in either New Zealand or Australia. New Zealanders with permanent residence status who have lived in Australia for 10 years may also qualify for Disability Support Pension. You could contact Centrelink in Australia to check your eligibility.

Changes to residency and citizenship rules**New Zealanders wanting to move to Australia****Will I still be able to travel freely to Australia as I can at the moment?****Will my passport be stamped whenever I enter Australia?**

New Zealanders will continue to have the freedom to travel or move to Australia at any time to live and work. New Zealanders entering Australia will have a port and date stamp in their passport and have their entry to Australia as Special Category Visa (SCV) holders recorded electronically, as they do now.

Will I still be able to go to Australia to live and work? Will I need a work permit or a visa?

If you are a New Zealand citizen who meets health and character criteria you will be free to go to Australia to live and work and will automatically be granted a SCV on arrival in Australia, as is the case now. You will not need to apply to migrate to Australia, nor will you need a work permit or visa. You don't need to apply for a SCV in advance. If you are not a New Zealand citizen you will have to apply for a visa as you do now.

Will I have to apply for permanent residence status in Australia?

New Zealand citizens who arrive in Australia after 26 May 2001 will need to apply for and be granted permanent residence in Australia (and have lived there for two years) before they are able to access most Australian social security benefits (see page 5). You will be able to count all previous periods of time living in Australia towards the two year waiting period. You won't need permanent

residence status to apply for a benefit or pension that is covered by the existing Social Security Agreement between Australia and New Zealand or, after 1 July 2002, the revised Agreement.

You will not be able to apply for Australian citizenship unless you hold permanent residence status in Australia.

Do I need to apply for permanent residence status in Australia before I leave?

No, you can apply once you are in Australia from any office of the Australian Department of Immigration and Multicultural Affairs (DIMA). For more information you could visit DIMA online at www.immi.gov.au or call the NZ to OZ Helpline toll free on 0800 441 248.

If you are applying from outside Australia or New Zealand, you can apply from any Australian Embassy, High Commission or Consulate.

I was in the process of moving to Australia when the changes were announced. How am I affected?

If you arrive and take up residence by 26 May 2001, apply for and have your status as a permanent resident for social security purposes confirmed by Centrelink in Australia within three years, you will not be affected.

Will I still be able to obtain other government services, such as free education for my children, subsidised health care and subsidised childcare?

In general, yes. You will only be affected if the subsidy was dependent on your being a social security recipient or an Australian citizen.

Will I be able to get an unemployment benefit (called 'Newstart') in Australia?

New Zealand citizens who arrive in Australia after 26 February 2001 will need permanent residence status in Australia and must have lived there for two years before they are able to access Newstart along with most other benefits. To find out which benefits you may be entitled to you should call the NZ to OZ Helpline toll free on 0800 441 248.

If I apply for and am granted permanent residence in Australia, will I still have to wait two years to get social security benefits?

Yes. You need to have lived in Australia for two years before you are eligible for most social security benefits. However, you will be able to count all previous periods of time spent living in Australia towards the two year waiting period.

What assistance can I get from the New Zealand or Australian governments if I experience financial hardship while I'm living in Australia, but am not eligible for a disability or age pension?

If you are emigrating to Australia you should make sure you have enough money to survive on, including a return airfare in case you need to get back to New Zealand. You should also think about taking out income insurance.

The New Zealand Government offices in Australia do not have financial programmes or loan facilities to assist New Zealanders who find themselves in financial difficulties while in Australia. You may have to rely on friends and family to provide financial help. Money transfers can be arranged easily and quickly from within Australia or from New Zealand.

Work and Income NZ does not pay any work-related benefits or Special Benefit to people applying from outside New Zealand.

I am a New Zealand citizen who used to live in Australia. If I return to live in Australia, how will I be affected?

If you are only temporarily absent from Australia you may not be affected, although residence criteria for social security benefits differ depending on the type of benefit. To find out whether you might be affected you can call the NZ to OZ Helpline toll free on 0800 441 248.

If you are no longer a resident of Australia, but lived there for at least one of the two years immediately before 26 February 2001 and return to Australia within 12 months of the changes, you will not be affected.

Otherwise, you will be in the same position as any other New Zealand citizen arriving after 26 February 2001.

New Zealanders already living in Australia

I am a New Zealander already living in Australia. Will I be affected by these changes? Do I need to apply to become a permanent resident or to confirm my residency status?

Essentially, you will not be affected. The only affect might be if you claim an age or disability related benefit under the revised Social Security Agreement after 1 July 2002. If you obtain assistance after that date, you will receive an amount comparable to that you would otherwise have received. This may be made up of payments from both Australia and New Zealand. Centrelink will help you to apply.

There is no need for you to apply for permanent residence. You will retain your current entitlements in Australia, including the right to remain, exit and re-enter Australia to live and work, as well as your eligibility to apply for social security benefits and Australian citizenship.

Australian citizens returning to Australia after having lived in New Zealand for an extended period

As an Australian citizen, do I retain automatic access to all benefits and allowances? And will there be a waiting period to obtain any benefits and allowances?

As an Australian citizen you do retain automatic access to all benefits and allowances, but may have to serve the two years waiting period if you have not resided in Australia for at least two years at any time. However, if you are subject to the waiting period you can still obtain a Special Benefit if you meet the qualifications for that benefit.

How will my spouse and children, who are New Zealand citizens, be affected?

Your spouse and children will be able to travel to Australia and remain with you indefinitely, but your spouse may not be entitled to some Australian social security benefits as he or she will need to meet the Australian residency criteria for Australian benefits in his or her own right.

New Zealanders temporarily absent from Australia

I am a New Zealander living in Australia, but I was temporarily absent on the day the changes came into effect. How am I affected?

You are not affected if you had lived in Australia for at least one of the two years immediately before 26 February 2001 and return to Australia within 12 months of the changes taking effect.

I am a New Zealander who has been living in Australia, but am presently working overseas. However, I am planning to return to live in Australia. How will I be affected?

You are not affected if you lived in Australia for at least one of the two years immediately before 26 February 2001 and return to Australia within 12 months of the changes taking effect.

I am a New Zealander living in Australia, but plan to work overseas for a time and then return to Australia to live. How am I affected by the changes?

You are not affected.

New Zealanders in Australia who will be returning to live in New Zealand

I am a New Zealander who has been living in Australia, but I am planning to return to New Zealand to live. How do the changes affect me?

The changes will affect you if you apply for a benefit under the revised Social Security Agreement, which comes into effect on 1 July 2002. In this event, you may be entitled to a part-payment from Australia as well as one from New Zealand.

The changes may also affect you if you are a widow or sole parent, as from 1 July 2002 you will need to meet the New Zealand residency criteria for Widows Benefit or Domestic Purposes Benefit in order to qualify. If you have no dependent children or your children were born outside New Zealand you will only qualify for Widows Benefit or Domestic Purposes Benefit if you became a widow or sole parent while in New Zealand. However, you may be entitled to other social security assistance.

If you have a disability but don't meet the qualifying criteria set out in the revised Agreement (see page 7), you will only qualify for an Invalids Benefit if you have lived in New Zealand for 10 years. However, you may be entitled to other social security assistance.

Australians planning to move to New Zealand

I am an Australian citizen and I am planning to move to New Zealand. How will the changes affect me?

If you apply for a benefit under the revised Social Security Agreement, which comes into effect on 1 July 2002 you may be entitled to a part-payment from Australia as well as one from New Zealand.

You will need to meet the New Zealand residency criteria for Widows Benefit or Domestic Purposes Benefit in order to qualify for these benefits. If you have no dependent children or your children were born outside New Zealand you will only qualify for Widows Benefit or Domestic Purposes Benefit if you became a widow or sole parent while in New Zealand. However, you may be entitled to other social security assistance.

If you have a disability but don't meet the qualifying criteria set out in the revised Agreement (see page 7), you will only qualify for an Invalids Benefit if you have lived in New Zealand for 10 years. However, you may be entitled to other social security assistance.

Obtaining Australian citizenship – New Zealanders moving to Australia

Do I need to be an Australian permanent resident to apply for Australian citizenship?

Generally, yes. New Zealand citizens who were in Australia on 26 February 2001 or who are subsequently confirmed by Centrelink as having permanent residence status in Australia will not be affected by the new rules. These people will continue to be treated as permanent residents of Australia for social security and citizenship purposes.

If you fall into this category, you are eligible to apply for Australian citizenship now, or at any time in the future, subject to meeting the usual residence and other eligibility criteria. You need not obtain permanent residence status before applying for Australian citizenship.

If you are a New Zealand citizen who arrived in Australia after 26 February 2001, and you do not fall within the above categories, you will need to apply for and be granted permanent residence status before you are eligible to apply for Australian citizenship.

How can I apply for Australian citizenship?

Applicants need to lodge a completed *Application for grant of Australian citizenship* (Form B124) with the Department of Immigration and Multicultural Affairs (DIMA).

For more information on Australian citizenship, what these changes might mean for Australian-born children of New Zealanders currently in Australia, or for general information on Australia's immigration policy visit www.immi.gov.au or call the NZ to OZ Helpline toll free on 0800 441 248.

How to get more information

If you want to know more about how Australia's residency and citizenship rules might affect social security benefits in Australia you can:

call the NZ to OZ Helpline in Australia toll free on 0800 441 248 Monday to Friday 10.00am to 6.15pm (New Zealand time), or visit www.nz-oz.gov.au

If you want to know more about the current arrangements or how these changes might affect your personal situation you can:

call Work and Income NZ on 0800 777 577 Monday to Friday 8.00am to 5.00pm or, if you're calling from outside New Zealand, +64-4-916 2437 (international call charges will apply).

You can also write to Work and Income NZ on facsimile +64-4-918 0157 or to PO Box 27 178 Wellington, or send an email to international.affairs@winz.govt.nz

This information has been provided by the Department of Work and Income, Ministry of Social Policy, Ministry of Foreign Affairs and Trade, and Department of Family and Community Services (Australia), Centrelink (Australia), Department of Immigration and Multicultural Affairs (Australia).