

# NCID NEWS DSP FACT SHEET



## Federal Budget 2014

### Changes to Disability Support Pension (DSP)

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Wednesday, 28 May 2014

#### People with intellectual disability in receipt of the DSP are generally not subject to compulsory participation requirements

"To promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent human dignity."

UN Convention on the Rights of Persons with Disabilities

From 1 July 2014, a DSP recipient has compulsory participation requirements if:

- under age 35, AND
- has an assessed work capacity of at least 8 hours a week, AND
- they have dependent children, the youngest child is 6 years of age or older.

People with intellectual disability with an assessed IQ of less than 70 are manifestly qualified for the DSP. They are considered to have a work capacity of less than 8 hours per week and not subject to participation requirements.

A DSP recipient who does not meet the above criteria may volunteer to participate.

DSP recipients who manifestly qualified for the DSP are considered to have a work capacity of less than 8 hours per week and are not subject to participation requirements.

#### Other exemptions from participation requirements

A DSP recipient is exempt from participation requirements if:

- employed in the Supported Wage System
- employed in an Australian Disability Enterprise

A DSP recipient is temporarily exempt from participation requirements if:

- pregnant
- unable to participate because of illness or accident

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- experiencing special circumstances (*beyond the person's control, where it would be unreasonable to expect the person to meet the participation requirements*).

## **DSP recipients under age 35 years who have work capacity of 8 or more hours per week are subject to participation requirements**

These DSP recipients will be required to:

- attend an initial participation interview;
- agree and sign a participation plan which will include at least one compulsory work-focused activity;
- undertake the compulsory worked-focused activity or activities in their plan; and
- attend ongoing interviews.

Payment may be suspended or cancelled if the person does not attend the interviews or do what is in their plan.

If a DSP recipient is working they will be required to attend an initial interview and develop a participation plan but will only have to attend ongoing interviews every 12 months while they continue working. If the person's compulsory activity is study, they need to attend regular 3 or 6 monthly interviews.

DSP recipients who have compulsory requirements and who are not working will be required to attend ongoing interviews quarterly for 18 months and 6-monthly thereafter until the person no longer meets the criteria for participation requirements.

### ***Non-compulsory components of the participation plan***

The participation plan will contain voluntary activities which may include education, training, employment or other non-vocational activities.

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Source: Guide to Social Security Law (<http://guides.dss.gov.au>), Version 1.204, Released 12 May 2014;

3.6.1.110 Participation Requirements for DSP Recipients;

3.6.2.20 Manifest Grants & Rejections for DSP;

3.6.1.120 Participation Requirement Exemptions for DSP Recipients.

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