

SRSS Payments

A factsheet for people helping those who may be eligible to receive SRSS

Last updated May 2018

Who is eligible for an SRSS payment?

The Status Resolution Support Services (SRSS) program provides support to people seeking asylum while their visa applications are being assessed. Support can include accommodation, income support and case management.

SRSS Payments are paid under this program. Payments are made under the *Public Governance, Performance and Accountability Act 2013* administered by the Department of Human Services.

SRSS payments are paid fortnightly in arrears, must be paid into an Australian bank account. A part of Human Services' administration involves determining how much a SRSS Recipient is paid.

Eligibility for SRSS requires that the person is experiencing financial hardship. Receipt of a substantial compensation payment would be considered an asset or source of funds which would likely mean that the asylum seeker would no longer be considered to be in financial hardship and therefore no longer be eligible for SRSS payments.

How much are SRSS payments?

The SRSS Payment can include:

- 1) Living Allowance** (Band 2 to Band 6): is a percentage of Newstart Allowance for those above 22 years of age, or Youth Allowance for those between 18 and 21 years of age;
- 2) Dependent Child Allowance** (Band 3 to Band 6): is a percentage of Family Tax Benefit (FTB) Parts A and B, where appropriate.
- 3) Rental Allowance** (Band 4 to Band 6): is a percentage of Rent Assistance, where an SRSS Recipient is paying for Private Accommodation. SRSS Recipients who have been assigned Provided Accommodation or Emergency Accommodation don't qualify for Rental Assistance Allowance.

The percentage of Newstart or Youth Allowance for a person's Living Allowance can depend on which band a person is, their arrival date if they arrived without a visa and whether they are partnered / single, independent or have dependent children:

Band 1 SRSS Recipients do not receive any SRSS Payments because their care and accommodation needs are provided for by the Detention Services Provider.

Band 2 SRSS Recipients receive a portion of their Living Allowance from Human Services.

Band 3 SRSS Recipient's Living Allowance rate depends on their arrival date:

- 70 per cent for all unauthorised air arrivals and unauthorised maritime arrivals who arrived in Australia before 13 August 2012; or
- 60 per cent for unauthorised maritime arrivals who arrived in Australia on or after 13 August 2012, who are living in the community and are subject to regional processing or have been officially exempt from regional processing under Section 198AE of the Migration Act.

Band 4 to Band 6 SRSS Recipient's Living Allowance rate are based on the relevant Newstart or Youth Allowance, depending on their circumstances (partnered / single, with or without dependent children / independent rate) and is ordinarily between 89% to 100% of either Newstart or Youth Allowance.

Getting a job while receiving SRSS payments

Anyone receiving SRSS payments must advise their DIBP case manager and their SRSS Provider when they or their spouse/partner start working.

SRSS recipients need to report to Human Services fortnightly prior to payment day, and Human Services regularly assess the recipient's circumstances and adjust payment.

If an SRSS band 6 recipient starts work, and earns more than what they would receive if in receipt of their living allowance, they enter a "dormancy period" of 12 weeks, during which their SRSS payments are suspended. If at the end of 12 weeks they are still earning more than their allowance, their SRSS payments are then cancelled.

The existing [Newstart and Youth Allowance income tests and rules](#) apply to SRSS recipients who are earning an income. The income test applies where income is declared, regardless of whether they have permission to work.

Transferring money overseas while receiving SRSS payments

Asylum seekers who transfer money overseas will generally have a review of their SRSS payments triggered.

If the amount of funds transferred overseas totals \$1000.00 or more within a 12 month period, the person's SRSS payments will be cancelled as they are considered not to be eligible for SRSS financial assistance, including living allowance payments.

On an [SRSS application form](#) a person must declare all details of any bank accounts, financial investments and assets held in Australia or overseas.

If those details have changed from the time the application for SRSS payments was made, the Department of Human Services and Immigration need to be updated.

Where a person's payments have been cancelled based on transfer, information about that transfer, where the money came from and any explanation as to how the SRSS recipient came to have those funds should be provided urgently to their SRSS provider, and to the Department of Human Services in writing, seeking their payments be restored. For example, a cancellation was reversed when the asylum seeker's advocate successfully demonstrated that the money transfer was a donation to charity.

Studying while receiving SRSS payments

Adult asylum seekers who chose to study full time, when they are assessed as able to work, are not eligible for SRSS payments.

Investigations and cessation of payments

Human Services generally undertakes SRSS payment reviews on a six month basis.

The Department of Immigration can stop SRSS payments where following an investigation it is confirmed that the SRSS recipient has:

- provided false, misleading and / or conflicting information;
- either deliberately or inadvertently withheld relevant information;
- breached the Code of Behaviour;
- not actively engaged with the Department to resolve their immigration status.

The decision to cease payments is made by SRSS Operations who advise the SRS Provider and Human Services via a “Stop transaction” alert in their Service Provider Portal.

Payments automatically stop 13 weeks after suspension where payment has not been restored.

Cancellations are generally initiated by a Stop Payment Notice.

Restoring and re-instating payments

If Human Services suspends payment, then Human Services can restore payment within 13 weeks of suspension.

If the Department of Immigration suspends, then the Department can advise Human Services whether to restore payment within 13 weeks of suspension.

The Department of Immigration can at any time consider a [further Band 6 Application](#) for financial support by a person where they:

- provide requested information
- make arrangements to repay overpayments
- meet the eligibility criteria
- complete the Band 6 Application Process.

The decision to re-instate payments can only be made by the Department of Immigration.

Appeal rights

SRSS payments are not social security payments, and there is no right of appeal in the same way that a person has the right to appeal any social security decision they disagree with. Merits review sought by an applicant is not possible before the Administrative Appeals Tribunal.

Internal reviews of SRSS decisions are possible in relation to decisions made about a person's eligibility: Human Services can do an internal review on eligibility. Following this, the Department of Immigration can conduct a review of ongoing eligibility. So anyone receiving SRSS payments wanting the suspension or cancellation of their payments reviewed should ordinarily:

- contact both the DIBP and their SRSS service provider, advising that they are seeking a review of their eligibility and providing evidence of their current circumstances.
- If not satisfied with their responses, raise the issue with both DIBP and Human Services (see the contact details below).
- If not satisfied with this response, the person could then write to the Minister for Finance (see contact details below).

We advise for all SRSS recipients to keep copies of their correspondence.

Debts

All debts incurred by SRSS recipients must be recovered, unless the debt falls into one of the categories in s11 of the [PGPA Rules](#):

- where it is not economical to pursue the recovery of the debt;
- where the debt is not legally recoverable; or
- where the debt has been written off.

The Finance Minister may waive an amount owing as an SRSS debt under s63 of the Act.

To enter the SRSS program, a recipient must sign a [Debt Agreement](#) which requires a SRSS recipient to repay any debt arising from overpayments, including where the debt arose as a result of an administrative error. An SRSS debt can also be raised where a recipient fails to make a payment they were responsible for, including a utility bill or to pay damage to a property.

If the person is still receiving SRSS payments, the debt will be recovered through instalments. The Department of Immigration can require Human Services to reduce a person's SRSS payments as a deduction to recover overpayments. The default rate is 5% of the fortnightly payment, and the maximum deduction rate is 10%.

If a person has stopped receiving SRSS payments, and Human Services is unable to contact them, the remaining balance of the debt must be transferred to Human Services. The decision to write off any SRSS payment debt can only be approved by the Department of Finance.

How to contact the Department of Immigration / Department of Human Services about an SRSS matter?

Where a person is not satisfied with the response from their DIBP caseworker, or their SRSS provider in relation to their SRSS payments, they should contact both the Department of Immigration and the Department of Human Services, setting out which decision they are wanting internally reviewed, and the basis for it.

Immigration

The Department of Immigration, SRSS Operations
GPO Box 9984
Sydney NSW 2001
By phone: 13 18 81
By email: srss.payment.recovery@homeaffairs.gov.au

Human Services

Human Services: Centrelink (SRSS Payments)
Reply Paid 7800
Canberra BC, ACT 2601
By phone: You can call Human Services on 131 202. When asked for your language, say "SRSS" twice.
Human Services will ordinarily require a completed "[SRSS Payment – authorising a person or organisations to enquire on your behalf](#)" form (DHS form SU698) to share information with anyone who is not the SRSS recipient.

If not satisfied with the response from the Departments of Immigration and Human Services, the SRSS recipient could then write to the Minister:

Minister for Finance

The Minister for Finance
SRSS Payments issues
Parliament House
Canberra ACT 2600
Email: financeminister@finance.gov.au

How to refer a client to the SRSS Pro Bono Debt Clinic for advice on an SRSS debt

Welfare Rights Centre (NSW) and Social Security Rights Victoria provide legal advice on social security matters by phone. The organisations have partnered with lawyers from law firms working on a pro bono basis to assist asylum seekers with their SRSS debts.

Welfare Rights Centre (NSW)

The Centre currently has two telephone advice shifts per week at the following times:

Monday 9.30am – 1.00pm
Wednesday 9.30am – 1.00pm

Phone: 02 9211 5300 / 1800 226 028 (toll free from outside Sydney metro area)

Social Security Rights Victoria

SSRV currently has three telephone advice shifts per week at the following times:

Monday 9.30am – 12.30pm
Tuesday 9.30am – 12.30pm
Wednesday 9.30am – 12.30pm

Phone: (03) 9481 0355 (Melbourne callers) / 1800 094 164 (Rural callers)



If you need an interpreter, call **13 14 50**, ask for the language you want and then give them the number. This is a free service.