

Youth Allowance & Austudy - The Effect of Past Study

There are rules to do with the effect of study you did previously that can affect your entitlement to study payments now. Learn more...

How do I qualify for a study payment?

To qualify for Youth Allowance (Student), a person must:

- Undertake qualifying study of an approved* course OR be a full-time Australian apprentice;
- Be under 25 years old at the time of claim; and
- Satisfy the residence requirements.

To qualify for Austudy, a person must:

- Undertake qualifying study of an approved* course OR be a full-time Australian apprentice;
- Be 25 or more years old at the time of claim; and
- Satisfy the residence requirements.

The maximum basic rates for both Youth Allowance (Student) and Austudy for single persons with no children are generally the same. More information on rates is available at www.centrelink.gov.au.

What if I turn 25 before I finish my course?

Where a person is undertaking approved* study or a full-time apprenticeship and receiving Youth Allowance (Student) immediately before they turn 25 years old, they will continue to be qualified for Youth Allowance (Student) until the completion of their course/apprenticeship.

What if I want to do another course? - Youth Allowance (Student)

For Youth Allowance (Student), there is no limit to the number of courses that can be studied at any particular level even if you have successfully completed a course at that level previously. There may be additional requirements for students to undertake a second course where they have previously failed to complete, or have withdrawn from, a course at the same level.

Example: Alex receives Youth Allowance (Student) whilst completing a bachelor degree in journalism. Alex graduates at age 22.

Alex works for a year, then decides to study a bachelor degree in environmental science. Alex will be able to make a new claim for Youth Allowance (Student) and receive this payment for the length of the entire course (graduating at age 26) because Alex will be undertaking approved study and receiving Youth Allowance (Student) immediately before turning 25.

**Contact Centrelink for information regarding which courses are "approved" for study payments.*

What if I want to do another course? - Austudy

For Austudy, there are limits on the number of courses you can do at the same level. First you'll need to understand "allowable time". Youth Allowance and Austudy both have rules to do with satisfactory progress/allowable time.

The "allowable time" is the amount of time that you can receive a study payment for a particular course (for most university courses the allowable time will be the minimum time it takes to complete the course plus an additional 6 months).

If you receive Austudy, the allowable time for your current course is reduced by periods spent studying past courses at the same level.

Some periods of time may be disregarded in calculating allowable time, such as time you spent studying a prerequisite course in order to be admitted to your current course, or time during which you experienced circumstances beyond your control that affected your capacity to finish your course within the allowable time. Different rules for allowable time apply to students with disabilities also. Speak to Centrelink or Basic Rights Queensland for clarification if necessary.

Example: Sam graduates from a 3 year bachelor degree in international relations and works for 5 years before commencing a second bachelor degree in commerce.

Because Sam is 27 years old Austudy is the relevant study payment to claim. The allowable time for Sam's second course is 3.5 years. Sam's previous study reduces the allowable time for the current course by 3 years.

What this means is that Sam will only be able to receive Austudy for the first 6 months of studying the bachelor of commerce. If the previous course was an "approved" course for Centrelink purposes, it is not relevant whether Sam received a Centrelink payment whilst studying. Sam will need to investigate other options for support whilst completing the second degree.

What counts as study at the same level?

A student can undertake one course at each of the tertiary course levels, as set out in the Social Security Act, before their allowable time will be affected by previous study.

Level "A" Courses

- Postgraduate bachelor degree courses, with or without Honours
- Graduate or postgraduate diploma courses

- Practical legal training courses at higher education institutions
- Graduate certificate courses
- Advanced education courses regarded by an accrediting authority as being at PG1 level

Level "B" Courses

- Bachelor degree courses, with or without Honours
- Masters qualifying courses
- Diploma courses that are not Level A or Level C diploma courses
- Barristers or Solicitors Admission Board's course
- The bachelor level component of a Masters degree course with concurrent bachelor and Masters level study
- Courses of advanced education regarded by an accrediting authority as being at UG1 or UG2 level.

Level "C" Courses

- Associate degree or diploma courses
- 2 year undergraduate diploma courses
- Diploma courses at a TAFE for which an entry requirement is successful completion of year 12 secondary studies
- Courses provided by VET providers for which an entry requirement is successful completion of year 12 studies

Level "D" courses

- TAFE courses at higher education institutions
- TAFE courses, unless the course is in Level A, B or C
- Diploma courses provided by VET providers that are not Level A, B, C or M diploma courses

Level "M" Courses (Austudy Only)

- Specified Masters Courses (From 2014, all Masters by coursework will be approved* courses.)



Example: Jamie was 24 when she started studying a bachelor of law and she claimed and was granted Youth Allowance. After getting some degree relevant work, Jamie's earnings were sufficiently high that she eventually lost her payment.

Jamie is doing 5 subjects this semester and with exams coming up, she hopes to claim a payment so that she can take enough time off work to prepare for exams but also have enough money to live on. Because Jamie is 26 now, she claims Austudy. However, Jamie had completed a double degree in science and education when she first left high school and her Austudy claim is rejected on the basis that she has exceeded the allowable time for her current course (because it is reduced by her past studies).

Jamie gets advice from a Basic Rights Advocate who advises her to appeal the decision – Jamie's law degree is considered to be a postgraduate bachelor degree course (a level "A" course) which means it is not study at the same level as her past course (a level "B" course).

Jamie provides evidence to Centrelink regarding her current course and Centrelink concede that it is postgraduate study so Jamie is granted Austudy. Because she appealed within 13 weeks of the decision not to grant her payment, she gets back pay to the date of her claim.

Please Note:

This Fact Sheet contains general information only. It does not constitute legal advice. If you need legal advice please contact Basic Rights Queensland on 3421 2510 or 1800 358 511.

Basic Rights Queensland is a community legal centre, which provides specialist advocacy and legal services in Social Security law, administration and policy. We are independent of Centrelink. All assistance is free.

This Fact Sheet was updated in June 2012.

www.brq.org.au