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support services



Turning 18: Essential Guide for Carers and Parents



Why Preparing Before 18 is Essential

As your child approaches their 18th birthday, they legally transition into adulthood. This means they are expected to make their own decisions regarding finances, healthcare, and other important aspects of life. However, for young people with intellectual impairments or other disabilities, this can be challenging or even impossible.

Here's why it's vital to put these processes in place before they turn 18





1.

Ensuring Continuous Support: By setting up guardianship and other legal arrangements before they turn 18, you ensure that your child continues to receive the support they need without any interruptions. This helps in maintaining their quality of life and ensuring their needs are met.



2.

Legal and Financial Security: Establishing guardianship and nominees ensures that someone you trust can make important decisions on behalf of your child. This includes managing their finances, healthcare, and other critical areas, protecting them from potential exploitation or neglect.



3.

Access to Services and Benefits: Properly setting up these arrangements ensures that your child can access necessary services and benefits, such as the Disability Support Pension (DSP) and healthcare services, without facing bureaucratic hurdles.



4.

Peace of Mind: Knowing that your child's future is secure and that they will be cared for provides immense peace of mind. It allows you to focus on supporting them emotionally and practically, rather than worrying about legal and financial issues.



5.

Empowerment and Independence: While your child may not be able to make all decisions independently, having these structures in place can help them achieve the highest possible level of independence and empowerment within a safe and supportive framework.

Taking these steps now is a proactive way to ensure that your child's transition into adulthood is as smooth and secure as possible. It's about safeguarding their future and ensuring they have the best possible support system in place.

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1.

Timeline and Getting prepared

	Action	Age Due	Due Date
<input type="checkbox"/>	Apply for a TFN		
<input type="checkbox"/>	Open a bank Balance		
<input type="checkbox"/>	Exempt from voting		
<input type="checkbox"/>			
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2.

Guardians and Nominees Explained

Guardians:

- Role: Guardians make personal and health decisions for someone who cannot make these decisions themselves due to intellectual impairments or other disabilities.
- Responsibilities: This includes decisions about medical treatment, living arrangements, and personal care.

Nominees:

- Role: Nominees handle financial matters on behalf of the person. This can include managing bank accounts, paying bills, and handling government benefits.
- Responsibilities: Ensuring the person's financial needs are met and protecting their financial interests.



As a carer, you have certain legal rights and responsibilities. You may need to manage the legal affairs of the person you care for, depending on their needs. There are also Carer laws and policies about how carers should be treated and how services should be delivered to carers and the people they care for. You can read about the outlined principles at this site - [Carer recognition Act 2010](#). States and territories also have carer laws and policies. You can look up the Queensland Act [here](#).

Your Responsibilities as a Carer:

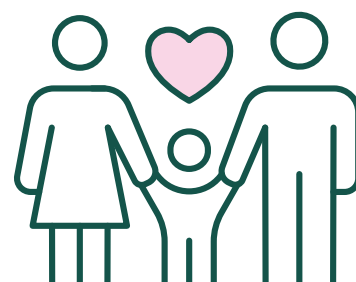
Financial and Legal Matters: If you care for an adult who needs help with finances or legal matters, you can apply for a Power of Attorney.

Health and Living Arrangements: If the adult cannot make their own decisions about health care or living arrangements, you can be appointed as their Guardian.

Lets talk about Guardians!

As mentioned earlier, a guardian can be legally appointed if the person you care for can't manage their own health affairs and living arrangements. Guardians can make decisions about medical and dental treatment, health care, living and lifestyle arrangements and using support services.

However, guardians can't make many decisions about legal or financial matters- these decisions usually need a power of attorney. A guardian can also apply to get a power of attorney.





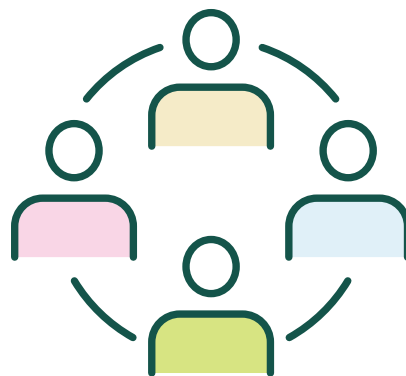
It's important to plan ahead and decide what the person you care for may need now and in the future. If the person may need a guardian in the future, it's a good idea for them to appoint an enduring guardian when they can.

If you or the person you care for would like to appoint a guardian, you should talk with a legal service in your state or territory to see what you need to do. Legal Aid commissions in each state or territory provide free legal services. You can look up your state [here](#).

If you want to know more about Power of Attorney, please go [here](#)!

Lets talk about Nominees!

A nominee is a representative appointed to make decisions or do things on behalf of an NDIS participant. They can be appointed at the request of the participant themselves, or in very rare circumstances, the NDIA can appoint them too. For under-18s there are child representatives (usually a parent or guardian). There are two types of nominees in the NDIS – plan nominees and correspondence nominees – and participants can have one or both. They can also have more than one person acting on their behalf to do different things or to make decisions in different areas.



So, whats the difference in short?

Nominees and guardians play different roles in people's support systems. Guardians have full authority to manage a person's affairs, for example, they can make decisions related to a person's health and wellbeing or deal with government agencies such as Centrelink on their behalf. Nominees, on the other hand, only help NDIS participants by making decisions regarding their NDIS plan, funding and communication with the NDIS. You can read more about the two roles [here](#).



3.

Queensland Civil and Administrative Tribunal (QCAT)

QCAT handles applications for guardianship and administration for adults with impaired decision-making capacity.

Overview:

- **Application Process:** Visit the QCAT website to understand the application process for guardianship or administration.
- **Submit Forms:** Complete and submit the necessary forms, including medical reports and personal statements.
- **Attend Hearings:** Be prepared to attend hearings where QCAT will review the application and make a decision.

You can read more about Guardians appointed by QCAT to make personal decisions for an Adult who has impaired capacity for making those decisions. Find out more about a guardian's role and responsibilities [here](#).

If you want to apply directly for QCAT guardianship click [here](#).

You can read more about Administrators appointed by QCAT to make financial decisions for an Adult who has impaired capacity for making those decisions. Find out more about an administrator's role and responsibilities [here](#).

If you want to apply directly for QCAT Administration click [here](#).



Remember, your appointed Support Coordinator or your local LAC are there to help point you in the right direction and to support you as you move through the process. You can find your local LAC [here](#).



4.

Opening a Bank Account (pre-16)

This section covers how to open a bank account for a young person before they turn 16.

If you're a carer for a child who doesn't have capacity and they turn 18 years of age, under the law they're now deemed an adult. This can create complications for certain arrangements, including conducting banking transactions on their behalf. To avoid any difficulties, you should put in place suitable alternative arrangements prior to their 18th birthday.

- **Choose a Bank:** Research banks that offer accounts for minors and compare their features. They will be able to tell you what you need in order to open the account.
- **Gather Documents:** Collect required documents such as the young person's birth certificate, proof of address, and your ID.
- **Visit the Bank:** Go to the bank with the young person to open the account. Some banks may allow online applications.

5.

Applying for a Tax File Number (TFN)

A TFN is essential for working and accessing government services in Australia. If you are the parent or carer of a young person affected by a disability or they are under the age of 18, a court appointed guardian or parent can apply.

Steps:

- **Online Application:** Apply for a TFN online through the Australian Taxation Office (ATO) website.
- **Documents Needed:** Have the young person's birth certificate, proof of address, and your ID ready.
- **Submit Application:** Complete the online form and submit it. The TFN will be mailed to the young person.





6.

Photo ID, 18+ Card / License

A photo ID card can be useful for a number of reasons, including:

Proof of identity: A photo ID card can be used to prove your identity when you need to access services or register for things. For example, you might need a photo ID card to get a driver's license, register a vehicle, or access certain services.

Proof of age: A photo ID card can be used to prove your age.

For people without a driver's license: A photo ID card is a good option for people who are too young to get a driver's license or don't have a driver's license or passport.

In Queensland, a photo ID card is available to residents aged 15 or older. It displays the holder's name, date of birth, and signature, and the address can be included optionally.

The Department of Transport and Main Roads (TMR) provides a photo ID card kit for people living in remote areas of Queensland who can't get to a license issuing office.

Adult proof of age cards replaced the 18+ card.
If you hold an 18+ card, it is still valid.





Photo ID, 18+ Card / License Continued

Apply for a photo identification card - in person

You can apply in person for a photo identification card at a transport and motoring customer service centre, participating Queensland Government Agency Program Office (QGAP), or a police station that provides licensing services.

To apply for the card you must:

- be at least 15 years of age
- complete the photo identification card application (F4772)
- provide evidence of identity
- pay the fee.

You may need to have your photo taken when you apply for a photo identification card. You will not receive your card straight away, it will be sent you by mail by standard post.

When you apply for your photo identification card you will be asked if you want your residential address to be shown on the back of your card. Photo identification card and adult proof of age card holders can add or remove an address on their card online or in person.

You will receive your photo identification card by standard mail to your mailing address within 21 days. If you have signed up for e-reminders you will receive an email when your photo identification card is posted.





7.

Exemption from Voting

This section covers how to obtain an exemption from voting if the person you care for is incapable of understanding the nature and significance of enrolling and voting.

Currently the laws around this are under review but you can complete the Objection claim form found [here](#). It requires a medical practitioner to sign as well.

Steps:

- **Eligibility Check: Check the Australian Electoral Commission (AEC) website to see if the young person qualifies for an exemption.**
- **Submit Application: Complete and submit the exemption form available on the AEC website.**
- **Provide Evidence: Include any required evidence, such as medical certificates.**





8.

Applying for a Centrelink Disability Pension (DSP)

A parent or a carer can assist a person with a disability in applying for the Disability Support Pension (DSP) if they meet both the non-medical rules and medical rules.

Non-medical rules include things like their age, residence status, and income and assets. Medical rules assess how their condition affects them. You can find out more by clicking [here](#).

Steps:

- **Eligibility Criteria:** Review the eligibility criteria on the Centrelink website.
- **Gather Medical Evidence:** Collect medical reports and assessments that support the application.
- **Submit Application:** Apply online through the Centrelink portal or visit a Centrelink office.
- **Follow Up:** Keep track of the application status and provide any additional information if requested.





9.

Public Trustee

Financial administration is when an administrator is appointed to support someone with their financial matters if they are unable to do so themselves.

The administrator can be an individual like a family member, friend or professional (like a lawyer or accountant) or a trustee organisation such as the Queensland Public Trustee. The administrator is appointed by the Queensland Civil and Administrative Tribunal (QCAT) or the court.

The Public Trustee can make decisions about financial matters but not about accommodation, health care or other personal matters.

Here are some key ways they can assist:

- **Managing Finances:** Public trustees can handle day-to-day financial tasks such as paying bills, managing bank accounts, and budgeting to ensure the individual's needs are met.
- **Investment Management:** They can invest funds wisely to ensure long-term financial stability, taking into account the individual's current and future needs.
- **Benefit Coordination:** Public trustees are knowledgeable about various public benefits programs (like Social Security, Medicaid, etc.) and can ensure that the individual receives all the benefits they are entitled to without jeopardizing eligibility.
- **Legal and Tax Compliance:** They ensure that all financial activities comply with relevant laws and regulations, including filing taxes and maintaining accurate records.
- **Special Needs Trusts:** For individuals with disabilities, public trustees can manage special needs trusts, which are designed to improve the quality of life without affecting eligibility for public benefits.





Public Trustee Continued

You may choose to use a public trustee instead of managing your child's finances themselves for several reasons:

- **Expertise and Experience:** Public trustees have professional expertise in managing finances, investments, and legal matters, which can be complex and time-consuming. This ensures that the financial affairs are handled efficiently and in compliance with all relevant laws.
- **Impartiality:** Public trustees provide an unbiased approach to financial management, which can help avoid potential conflicts of interest or disputes within the family. This impartiality is crucial in maintaining harmony and ensuring fair treatment of all beneficiaries.
- **Continuity and Reliability:** Public trustees offer continuity in financial management, which is particularly important if the parents are no longer able to manage the finances due to age, illness, or death. This ensures that the individual's financial needs are consistently met without interruption.
- **Relief from Burden:** Managing finances for an impaired individual can be a significant burden. By appointing a public trustee, parents can relieve themselves of this responsibility, allowing them to focus on providing emotional and personal support.
- **Legal and Financial Protection:** Public trustees are well-versed in the legal and financial protections available to impaired individuals. They can ensure that the individual receives all entitled benefits and that their assets are protected and used appropriately.

If you would like to read more about how the Public Trustee System can help your individual situation please click [here](#).





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