

Turning 18 Questions and Answers

for young adults with a disability,
family members, carers and
advocates

Part 2

Preparing for other financial decisions
after turning 18



About IDRS

The Intellectual Disability Rights Service (IDRS) is a not-for-profit organisation that works with and for people in NSW living with cognitive disability

Services at IDRS include:

Ability Rights Centre (ARC): a community legal centre that provides legal services, including legal advice, representation, NDIS appeals, and community legal education.

Justice Advocacy Service (JAS): a non-legal criminal justice support service, including support at police stations and in court.

Disclaimer:

This document is for general information only

It is not intended to replace the need for specific legal advice

*This resource was developed on the land of the Gadigal people of the Eora Nation.
We acknowledge and pay respect to the Traditional Owners and Custodians on
whose land we walk, work, and live.
Always was, always will be Aboriginal Land.*

Part 2

Preparing other important financial decisions after turning 18

Part two of this guide is designed to help young adults living with cognitive disability, their parents, carers and advocates prepare for making financial decisions after turning 18.

This includes:

- Simple and practical advice to help prepare for important financial decisions, such as setting up bank accounts, managing the DSP, and managing NDIS plans.

Turning 18

For young adults with disability, their family, and their advocates, the transition into adulthood often comes with big questions, especially around money and legal decisions.

In NSW, when a young person turns 18, they become a legal adult. This means they have the legal right to make their own decisions about their life, finances, and care.





1. Centrelink and the Disability Support Pension (DSP)

When should we apply for the Disability Support Pension (DSP)?

Apply early, as the process can be slow.

You can start a claim up to 13 weeks before a person turns 16, but payments won't start until their 16th birthday.

How do we apply for the Disability Support Pension (DSP)?

You can use a linked Centrelink account through myGov to begin the application process and submit information before the person's 16th birthday.

You must provide extensive evidence, such as medical records, specialist reports, and, if necessary, proof of completing a Program of Support. This evidence is crucial to the success of the claim.

If you are unable to claim online, you can request the application form by phone or in person from Centrelink or download the forms from Services Australia.

You will need to complete four forms:

1. Claim for Disability Support Pension form
2. Income and Assets form
3. Consent to disclose medical information form
4. DSP Medical Evidence Requirements Checklist.

For ongoing management, such as receiving payments or potentially self-managing funds, the person will need to create and link their own myGov account to Centrelink when they turn 16.

A parent, carer or support person can help a young person with disability create and log in to their myGov account. When setting up their myGov account, it may be easier to use the myGov app on a tablet. You can set up Passkeys with Face ID or Fingerprint ID, which removes the need to remember complex passwords.

Can I link a young adult with disability to my own myGov account?

No, you cannot directly link someone else's myGov account to yours.

You must become their authorised nominee through the agency that provides the service you want to help manage, e.g., Centrelink, Medicare, or NDIS.

Each agency has its own process for authorising a representative.

You may need to:

1. Fill out specific forms
2. Upload identity documents
3. Be appointed as a Guardian or Power of Attorney.

Once you are an authorised nominee, you will be able to link the relevant service to your myGov account by following the steps for linking a service on behalf of another person.

How can I help a young adult with disability manage their DSP money?

If a young person turns 18 and they cannot manage their Disability Support Pension (DSP) payments, a parent or carer, or another responsible person, can apply to Centrelink to become their **Payment Nominee**.

This means that Centrelink will send the DSP directly to a bank account in your name (the nominee).

It is recommended to open a separate bank account just for the DSP payments. You can add a note to the account name, like "Trustee for [young adult's name], to clearly show the money is for the young adult. This prevents the ATO from confusing it with your personal income.

The Payment Nominee is legally responsible for using all the money solely for the young person's benefit, including their costs, bills, and needs. You must keep receipts or a log of how the DSP is spent. Centrelink can ask to see these records at any time to ensure the money is being used correctly.

You must always make decisions that are in the best interest of the young person, even if you disagree with their choices.

You can also apply to be a young adult's **Correspondence Nominee**.

This means that you can handle Centrelink paperwork and speak to Centrelink on the person's behalf.

As a Correspondence Nominee, you are legally responsible for telling Centrelink within 14 days if the young person's circumstances change, e.g., they move house, start a part-time job, or go into a hospital.

How do I apply to become a payment and/or correspondence nominee?

Complete the **SS313 Form (Authorising a person to act on your behalf)** from the Services Australia website.

The young adult signs the form to say they want you to help them.

If the person cannot understand or sign the form, you can still apply. You will need to provide a medical certificate or a letter from a doctor stating why. Centrelink will then assess and appoint you as a nominee.

2. Bank accounts and access changes

Can a person with disability manage their own bank account?

Yes, if they understand the basic concepts - they own the money, the bank holds it, how to put money in and take money out and how to close the account if they want to. If they understand this, encourage the person to manage their own account, with support if needed.

What happens to bank account access after a young person turns 18?

A person under 18 years can have a bank account in their own name, and their parents or carers can manage the account on their behalf.

When they turn 18, the bank may cut off a parent or carer's access to any accounts held in the person's name, even if the parent or carer was managing the account before the person turned 18.



Be aware that the bank may ask for a Power of Attorney or a Financial Management Order to continue allowing you access.

It is a good idea to check with the bank before the young person turns 18 to find out what the rules are about accessing another person's account if needed.

What are some key questions that I could ask the bank?

- "What is my current legal role on the account, before my child turns 18"
- "When my child turns 18, will my access to the account automatically stop?"
- "If my access stops, what specific process or paperwork is required to regain access?"
- "If I need to maintain access to manage the account, what specific legal documentation does your bank accept?"
- "Do you have a preferred form or template for a Power of Attorney that your bank requires or recommends?"
- "Where do I need to submit these documents, and how long does it take for them to be processed?"
- "Are there any other options, such as becoming an authorised signatory with a specific arrangement for adult children with disability?"

3. National Disability Insurance Scheme (NDIS)

How can I help a young adult manage their NDIS plan?

To apply to become an NDIS plan nominee, you must follow a formal process through the National Disability Insurance Agency (NDIA). The NDIS prioritises the participant's right to make their own decisions, so this process involves clear steps to ensure that it is necessary.

You need to complete the **Request to Appoint a Nominee form** on the NDIS website, or you can ask your Local Area Coordinator (LAC) to print one for you.

The form will ask you to tick which role you are applying for:

- **Plan Nominee:** can make decisions about the plan, like choosing goals and how funding is spent
- **Correspondence Nominee:** can receive letters, talk to the NDIS, and ask for information
- **Both:** you can apply for both roles at the same time

You will need to provide original or certified copies of:

- Primary ID, e.g., Passport or Driver's Licence
- Secondary ID, e.g., a Medicare card or a utility bill

The young adult will need to sign the Participant Consent section of the form.

If the young adult cannot sign, you must provide a medical certificate or a report from a professional, like a GP or Psychologist, that explains why the person is unable to make their own decisions or sign the form.



The NDIA will decide if a nominee is needed. This is usually a last resort, and the NDIA will consider the person's wishes and circumstances.

If the person has turned 18 but the Nominee paperwork isn't yet complete, NDIA will usually only speak to the young adult.

If you are a parent, you can ask the young adult to give verbal consent over the phone to the NDIA. This allows you to talk to them for that one specific phone call while you wait for the formal Nominee forms to be processed.

How can I help a young adult get services from providers under the NDIS?

NSW law assumes that a person aged 18 or older has full legal capacity to enter into contracts, regardless of disability.

Things to consider with a young adult before getting a service from a provider:

- Read the service agreement fully and make sure you understand it
- Ask for the service agreement in an Easy Read or accessible format so that the young adult can understand it
- Get legal advice if needed
- Make sure there is a right to cancel quickly if you are unhappy with the service - usually within one month
- If you ask for special conditions to meet the person's disability needs, make sure they are included in the service agreement.

Important:

If a parent or carer signs the contract and agrees to take responsibility, there is a risk that the provider could sue you if the contract is broken.

If you are signing a contract on behalf of someone else, you could write: "[Your name] as NDIS Plan Nominee for [young adult's name]". This shows you are acting as an agent, not as the person responsible for the debt.

Get legal advice if a contract seems unfair or if the young adult cannot understand it.



4. Tax File Number and Tax Returns

Does a young adult with disability need a Tax File Number (TFN)?

It's recommended.

Without a TFN, the bank may take more tax on any interest earned.

You can work without a TFN, but if you don't have one, you may pay more tax on your income and may not be eligible for some entitlements.

Applying for a TFN is free.

Start the process by going to the Australian Tax Office (ATO) website: www.ato.gov.au or by calling them on 13 28 61

Call the ATO (13 28 61) to use the special arrangements for protected persons if a young adult cannot sign the form.

Does a young adult with disability need to file a tax return?

Generally, you **do not** need to file a tax return if:

- **Your income was below \$18,200**

This is the "tax-free threshold." If you earned less than this in the financial year and had no tax taken out of your pay, you usually don't need to lodge a return.

(Please note that this was the threshold in 2026 – you may need to check that this is still correct)

- **You are a young person, and you receive the Disability Support Pension (DSP)**

If you are under the age of 67, the DSP is generally tax-free. If this were your only source of income, you typically wouldn't need to lodge a return.

- **NDIS payments**

These are not considered taxable income. You do not need to declare NDIS funding or payments on a tax return.

If you do not need to lodge a return, you may still need to notify the ATO so they don't mark you as "overdue."

Submit a 'non-lodgment advice'

This is a form that tells the ATO you aren't required to lodge a return for that year. You can do this through the ATO service via myGov.

Important note:

If it's likely that the person will never need to lodge a return, for example, if their only income will ever be the DSP, you can tick the box for 'Further returns not necessary'. This means you won't have to log in every year to do a non-lodgment advice. The ATO will stop expecting a return until the person's circumstances change, like getting a higher paying job.

You **must lodge** a tax return if:

- **Tax was withheld**

If an employer took tax out of your pay, even if you earned less than \$18,200, you should lodge a return to get that money back as a refund.

- **You earned over \$18,200**

This includes income from jobs, interest on savings, or dividends.

- **DSP at Age Pension age**

Once you reach the Age Pension age, the Disability Support Pension becomes taxable

- **Other taxable payments**

If you receive other payments like JobSeeker, Youth Allowance, or a Carer Payment these are taxable



If the person needs support to complete the tax form:

1. A support person can help log in to myGov, click on the linked ATO service and complete the tax form
2. A registered tax accountant can complete the form for a fee
3. The ATO offers a Tax Help program for people on low incomes. Volunteers can help lodge a tax return or non-lodgment advice for free between July and October each year

ATO Tax Help program:

P: **13 28 61** (8:00 am to 6:00 pm, Monday to Friday)

Press **3**, then press **2**. This will take you to the Tax Help team.

When you call, it is helpful to have these things with you:

- The person's Tax File Number (TFN).
- The person's ID, e.g., Medicare card or Driver's License.
- The person's myGov login details, if you have them.

Some community centres in NSW offer this as a face-to-face service.

If the person cannot sign the tax form, you may need to have a Power of Attorney or an NCAT Financial Management Order to sign the form on their behalf. If you don't have these, call the ATO on 13 28 61 and ask for the Protected Persons team - they may be able to help you without needing a court order

5. Medicare, health, and health insurance

Does a young adult with disability need their own Medicare card

Having your own card is a key step toward adult healthcare independence. However, a young adult can stay on the family Medicare card indefinitely if they cannot manage their own application. You don't need to do anything.

A young adult can also remain on the family Medicare Safety Net until age 25.

The Medicare Safety Net is extra financial help for people who have high medical costs. To qualify for the Medicare Safety Net, the total medical costs need to reach a certain amount (a threshold). This happens automatically if you are a single person.

You can register for the Medicare Safety Net by completing a **MS016 form** for families online through Medicare via myGov, at Service NSW, by phone on 13 20 11, or via the Medicare app.



Can a young adult with disability have private health insurance?

A young adult can have their own health insurance if they understand what the insurance is and what it covers.

Some insurers will let a person with disability stay on their family's policy if they are not married. You will need to check with your insurer, as they are all different.

How can I support a young adult with disability to have private health insurance?

If the young adult with disability understands what the insurance is and what it covers, a support person can help complete the forms, pay the premiums, make claims and access information.

If a young adult with disability lacks the capacity to manage a health insurance policy, contact the insurer. The insurer may require a Power of Attorney, Financial Management Order, or a doctor's letter stating why the person cannot manage their own policy.

Important:

When a person gets health insurance, they are required to provide the insurance company with all the information that may impact their risk, including their entire medical history.

This means that the person must give full and honest details about any personal information that could be relevant to the policy.

Does a young adult with disability need to give medical consent?

Yes, when a young person turns 18, they have a legal right to decide what happens to their body.

Doctors and dentists must ask permission before treating someone.

The only exception is where a person's life is in danger.

If a doctor or dentist treats someone without asking or after a person says no, this is assault.

Can I support a young adult to make medical and dental decisions?

Yes, a young adult can give consent if they understand what the treatment is and what the consequences are, e.g., what happens if you don't have the treatment vs. what happens if you do have the treatment.

A parent, carer or advocate should use supported decision making to help the young adult make their own decision, e.g., use simple language, pictures, or communication aids so that the person fully understands all the options, risks and benefits.

What if a young adult cannot understand a medical or dental decision?

If a young adult cannot understand the treatment, or they lack capacity, but they are not refusing the treatment, the law allows a substitute decision maker to step in.

In NSW, the doctor or dentist will look for the 'Person Responsible' to give consent. This hierarchy usually starts with:

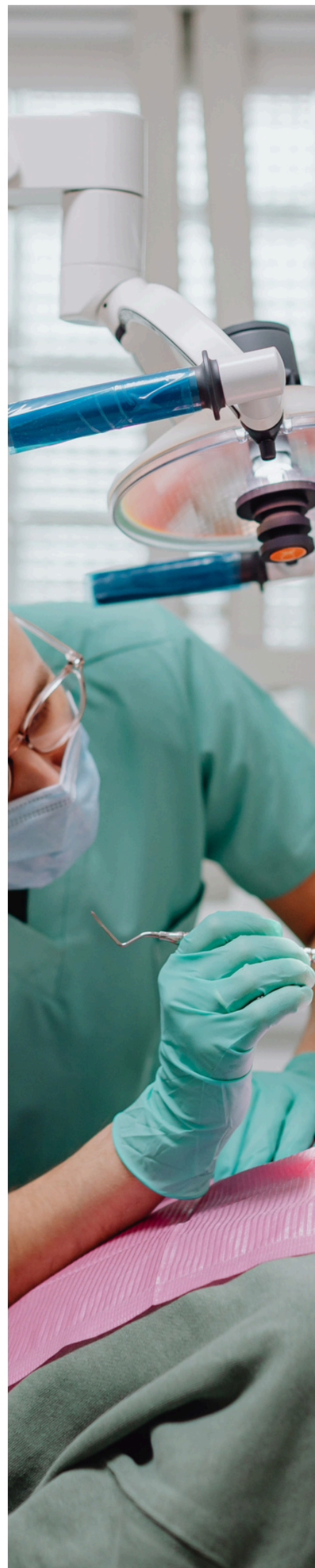
- An appointed Guardian
- A wife/husband or partner, if there is no appointed Guardian
- An unpaid carer, if there is no wife/husband or partner
- A relative or friend, if there is no carer, a close friend or relative who is in frequent contact and has a personal interest in the person's welfare.

If a Guardian has been appointed by NCAT to make health decisions for the person, the Guardian is legally allowed to give consent on the young adult's behalf.

What if the young adult refuses treatment?

If the treatment is necessary to save the person's life or prevent serious harm, a doctor may need to apply to the NCAT Guardianship Division or the Supreme Court to allow the treatment to happen.

This is rare and is only done in the person's best interests.



6. Making a Will

Can a young adult with disability make a Will?

Yes, any adult can make a Will if they have the legal capacity to understand they are giving away their money or property, the value of their estate, and who would normally expect to receive a share after they die.

A person with disability can make a Will by themselves with support.

A Will cannot be made using a Power of Attorney or Financial Management Order.

Can I make a Will on behalf of a person with disability?

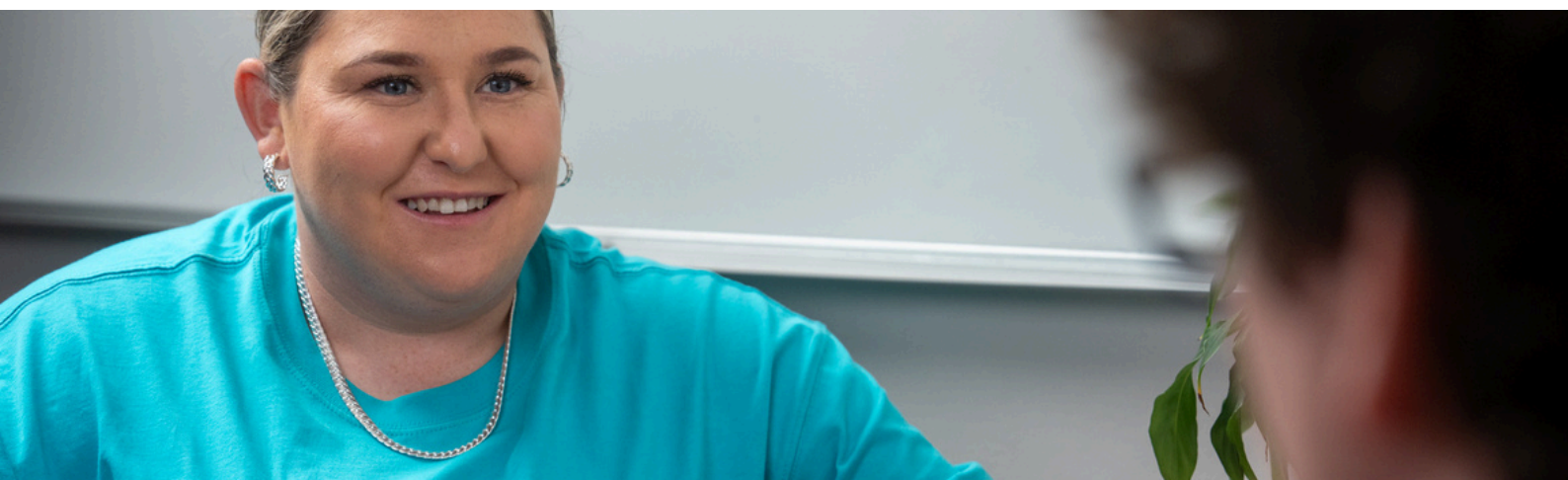
If a person does not have the legal capacity to make a Will, but one is really needed, for example, they own a lot of money or property, you must get legal advice to apply to the Supreme Court of NSW to make a Statutory Will on someone else's behalf.

What happens if the Will is invalid or there is no Will?

If the person did not understand the Will when they made it, the Will is invalid, so it won't count.

If a person dies and does not have a Will, this is known as dying intestate. When this happens, their property and money, or their estate, will be shared out automatically by law.

The law has a strict order of who gets the estate, e.g., a spouse, domestic partner, and then closest family relatives.



7. Key contacts

Ability Rights Centre (ARC) – a service of IDRS

Free legal advice, legal representation, and NDIS appeals support for people with cognitive disability in NSW

Call to make an appointment or get advice

P: (02) 9265 6350 (Monday – Friday 9 AM – 5 PM)

E: arc@idrs.org.au

W: www.idrs.org.au

Justice Advocacy Service (JAS) – a service of IDRS

Non-legal support for people with cognitive disability in the criminal justice system

P: (02) 9265 6300 or 1300 665 908 (Monday to Friday 9 AM – 5 PM)

E: intakeJAS@idrs.org.au

Call the Hotline on **1300 665 908** if a person in Police custody requires a support person and/or legal advice **24/7**

W: www.idrs.org.au

NSW Civil and Administrative Tribunal's (NCAT) Guardianship Division

Information on applying for or reviewing Guardianship or Financial Management Orders

P: 1300 006 228 (Monday to Friday 8:30 AM to 4:30 PM)

Ask for the Guardianship Division – press 2 when prompted

E: gd@ncat.nsw.gov.au

W: www.ncat.nsw.gov.au

Search: NCAT Guardianship Division

Australian Taxation Office (ATO)

- General tax and TFN enquiries.

P: 13 28 61 (8:00 am to 6:00 pm, Monday to Friday)

- To get free help with your tax, you can call the ATO Tax Help program

P: 13 28 61 (8:00 am to 6:00 pm, Monday to Friday)

Press **3**, then press **2**. This will take you to the Tax Help team

NSW Trustee and Guardian Wills

For Wills and estate planning enquiries

P: 1300 102 030 (Monday to Friday from 9am-5pm)

Search: NSW Trustee and Guardian – Create a Will in NSW



Please provide your feedback

