

MEDICARE ELIGIBILITY FOR HOLDERS OF RETIREMENT VISAS (SUBCLASSES 405 AND 410) UNDER THE RECIPROCAL HEALTH CARE AGREEMENT BETWEEN AUSTRALIA AND THE UNITED KINGDOM

ASSESSMENT GUIDE

Under the reciprocal health care agreement (RHCA) between Australia and the United Kingdom (UK), eligible persons in Australia are entitled to necessary medical treatment including free treatment as a public patient in a public hospital, Medicare benefits for out-of-hospital services and subsidised drugs through the Pharmaceutical Benefits Scheme.

This guide is intended to assist subclass 405 and 410 retirement visa holders to determine whether the RHCA applies to them by setting out the matters that the Department of Human Services (DHS) – Medicare will take into account in assessing eligibility. The RHCA applies to persons who are BOTH:

- (i) a resident of the United Kingdom; AND
- (ii) temporarily in Australia—that is, lawfully present *but not ordinarily resident* in Australia.

Criterion 1: Proof of residence in the UK

Question 1: Can you provide one or more of the following documents:

| | Yes | No |
|--|--------------------------|--------------------------|
| 1. Current UK passport, including a passport issued in the Isle of Man, Jersey or Guernsey | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. National Health Service Medical Card (Great Britain and the Isle of Man) | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Health Service Medical Card (Northern Ireland) | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Certificate issued by the Social Security Committee of the States of Jersey | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Proof of insurance issued by the Guernsey States Insurance Authority or other proof of residence in the Bailiwick of Guernsey | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. European Health Insurance Card bearing the initials 'UK' | <input type="checkbox"/> | <input type="checkbox"/> |

If your answer to Question 1 is 'yes', you have adequate evidence of your residence in the UK. Go to Criterion 2.

If your answer to Question 1 is 'no', you have not established your residence in the UK and are not eligible under the RHCA.

Criterion 2: Determining whether you are 'ordinarily resident' in Australia'

Question 2: Have you lived in Australia for more than six months out of the past 12 months, either continuously or intermittently?

| Yes | No |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |

(Note: Generally, a person is 'ordinarily resident' in Australia if he or she regularly or customarily lives in Australia. If you are ordinarily resident in Australia you will not be eligible under the RHCA.)

If your answer to Question 2 is 'yes', you are considered 'ordinarily resident' in Australia and are not eligible under the RHCA.

If your answer to Question 2 is 'no', and you arrived in Australia for the first time within the previous 12 months, you are not considered ordinarily resident in Australia and are eligible under the RHCA.

If your answer to Question 2 is 'no', but you arrived in Australia for the first time more than 12 months ago and have spent time in Australia for varying periods since your first arrival, go to Criterion 3.

You may still be considered '*ordinarily resident*' in Australia, depending on your responses to the questions under Criterion 3. The cumulative weight of your responses will indicate the extent to which you live in Australia for settled purposes as part of the regular order of your life and whether you are considered '*ordinarily resident*' in Australia.

Criterion 3: Established lifestyle

Please complete the following questions:

| | Yes | No |
|--|--------------------------|--------------------------|
| 1. Do you intend to spend more than six months out of the next 12 months in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have your visits to Australia formed a pattern of regular and significant visits over a number of years, or is such a pattern expected to emerge? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Do you own property in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Do you lease or rent property in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Do you have a spouse, parent/s or child/ren residing in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Are you employed in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Do you hold a bank account in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Do you have a motor vehicle registered in your name in Australia? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Have you formed any ties to the community in Australia, such as membership of a club or other organised group? | <input type="checkbox"/> | <input type="checkbox"/> |

If you responded 'yes' to three (3) or more of these questions, you are considered 'ordinarily resident' in Australia and are not eligible under the RHCA.

If you responded 'yes' to less than 3 of these questions, you are not considered 'ordinarily resident' in Australia and are eligible under the RHCA.

Further assessment

If you did not meet the eligibility test under Criterion 2 or Criterion 3 but you consider that there are other significant factors that establish your eligibility under the RHCA, please take this completed form to your nearest Medicare Office along with any supporting evidence. You may be asked to sign a Statutory Declaration affirming your residency status.

Name: _____

Address: _____

Telephone: _____

Email: _____