

# Social Security – Strategies to increase Department of Human Services/DVA entitlements

Your entitlement from the Department of Human Services/Veterans' Affairs (DVA) is subject to income and asset testing. Reducing your assessable income and assets can therefore increase your entitlement.

## Benefits

- Your Department of Human Services/DVA entitlement may increase to help top-up your retirement income
- The daily care fees you pay for aged care services may decrease

## How it works

Department of Human Services/DVA apply two tests to determine your entitlement – an asset test and an income test. Both tests are applied to your situation and the test that results in the lower rate of payment is the one that is applied.

Some assets are exempt from these tests and others may receive more favourable assessment. Following are some strategies that can help to reduce your level of income and assets.

## Home improvements

The value of your home is exempt from Department of Human Services/DVA income and asset testing, so spending money to improve your home may increase its value and also increase your entitlement.

However, it is important to remember that, although you may get an increase in your entitlement, spending money on renovations also reduces your savings. It is also possible that the increase in the market value of your home will be less than the amount that you spend on renovations. You should ensure you will continue to have sufficient money to meet your ongoing needs.

## Funeral bonds

A funeral bond is an investment that is used solely to pay for your future funeral expenses. It can provide you with peace of mind knowing your family members won't have the financial burden of paying for your funeral.

Funeral bonds are exempt from Department of Human Services/DVA income and asset testing but only if:

- You have not already pre-paid your funeral expenses (including purchase of a cemetery plot), and
- You do not invest more than the allowable limit in funeral bonds (threshold is indexed on 1 July each year).

The allowable limit applies per person, but if you are a couple and have one bond that is payable upon the death of the last person no more than the limit can be invested in this bond.

All earnings are retained in the funeral bond and taxed in the hands of the provider at the company tax rate. The balance of the bond cannot be accessed until your death.

Upon your death, if any or all of the bond proceeds is paid to your estate, a portion will be assessable income and taxed as part of the estate's income. The funeral bond issuer will provide this information at that time. If the amount is paid directly to a funeral director, no income is assessable to your estate.

## Pre-paid funeral expenses

Pre-paid funeral expenses are when you enter into a contract for the provision of funeral services. It can provide you with peace of mind knowing your family members won't have the financial burden of paying for your funeral.

The agreement with a funeral director allows you determine aspects of your funeral and pay today's price. Depending on the funeral director, you may be able to pay a single upfront payment or via a series of instalments. The payments are generally non-refundable. However an exemption is when you move outside the designated funeral service area. The amount paid may be invested at the discretion of the funeral director who generally also receives any earnings on those investments.

It is important to understand the terms of your specific contract particularly if there will be any change in the services nominated when these are provided in the future.

The amount paid for the pre-paid funeral expenses is exempt from Department of Human Services/DVA income and asset testing, regardless of the amount paid. There is no limit on the amount that can be pre-paid funeral expenses.

It is not possible to have both an exempt funeral bond and pre-paid funeral expenses.

## Superannuation (accumulation phase)

Your superannuation account balance is exempt from Department of Human Services/DVA income and asset testing if it is in accumulation phase and you are under Age Pension age or Service Pension age for veterans. After this age, your superannuation balance is assessed as an asset and subject to deeming.

If you have a spouse who is under Age Pension age (or Service Pension age if they are a veteran), withdrawing some of your superannuation and making a contribution into spouse's account will reduce your assessable assets and income which may result in an increase in your Department of Human Services/DVA entitlement.

You should ensure your spouse is eligible to make personal contributions to superannuation and the contribution is within their contribution caps so tax penalties are not applied, and it is important to remember that you will not be able to access this money until your spouse meets a condition of release under superannuation law.

## Annuities

An annuity is an investment that pays a series of regular guaranteed income payments for either a fixed period of time or for life. They may be purchased with superannuation funds or non-superannuation monies.

### Key Features of Annuities

- I. **Security** - Your interest and capital payments are guaranteed, regardless of share market movements or interest rate fluctuations.
- II. **Flexible terms and payments** - With annuities you can choose your investment term. Fixed term annuities are generally available for fixed terms of between one and 50 years. The investor selects the term most appropriate to them.

- III. **The term of a lifetime annuity is the rest of the investor's life** - income payments continue until they die. It can be as short as one year, as long as 50 years or even for your lifetime. You can also select how often you get paid - monthly, quarterly, half-yearly or annually.
- IV. **Lifetime income** - In the case of a lifetime annuity, regular and guaranteed payments for the rest of your life.
- V. **Inflation protection** - With some annuities, you can elect to index your payments so they keep pace with inflation or at a fixed indexation rate.
- VI. **Tax effectiveness** - When an annuity is bought with money rolled over within the superannuation system by a person aged 60 or over, the regular payments are tax free.
- VII. **Access to your money** - If you would like to cancel your annuity, in most cases you will receive a return of your investment but you may receive back less than you invested originally and less than you would have received had you held the annuity for its agreed term.

### How are Annuities assessed?

Both lifetime annuities and 100% capital return annuities with terms of six years and above receive favourable treatment under the asset and income tests for Age/DVA pensions and daily aged care fees.

The income of an annuity is assessed by the Department of Human Services/DVA's income test as follows:

- subject to deeming rates where the term is five years or less, or
- total income is reduced by a 'deductible amount' that reflects a return of the purchase price where the term is more than five years.

The amount you invest into an annuity is assessed under the Department of Human Services/DVA's Assets test. If you choose to receive all of the capital at the end of the selected term, the assessed asset value does not change. If you choose to have some of the capital returned as part of the regular payments, the asset value is recalculated every six to 12 months and reduced by the amount of capital returned up to that time.

### Asset valuation

Valuing your assets the right way can be a simple way to increase your entitlement.

Assets should be valued using market value, rather than insured value. This is particularly the case for assets such as cars and home contents which are often insured for a higher value to ensure they can be replaced if they are destroyed or damaged.

Gifting and purchasing an insurance bond within a private trust can also assist you to increase your entitlements. Please refer to the 'Gifting' and 'Insurance Bond in a Private Trust' Understanding Series for further information.

### Risks and Consequences

- You should ensure you have sufficient funds to support yourself before undertaking any strategy that reduces the value of your assets. This is particularly important if the strategy results in you no longer having access to that money, such as annuities, home improvements or funeral bonds.
- A lifetime annuity has nil residual capital value, meaning nothing is paid to your dependants or estate upon your death. The exceptions are if you have selected a reversionary annuitant or if a guaranteed income period has been selected and you pass away within this period. In this event, your beneficiaries or estate will only receive what would have been paid to you during the guaranteed period. Depending on how long you live, there could be an overall loss of capital.
- Annuities are not investment linked so your capital will not grow and you cannot take advantage of favourable market movements.

- With Annuities, you are locked in to a specific rate of return for the rest of the term (or life). If interest rates rise, you are not able to take advantage of the higher potential return without incurring penalties.
- Once an annuity is established, the amount and frequency of the income payments cannot be altered.
- You are required to notify the Department of Human Services /Department of Veterans' Affairs within 14 days about any change to your situation that may affect your entitlement.
- The government may change legislation in the future.

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