

PREGNANT AND SINGLE **WHAT ARE YOUR RIGHTS?**



The Birth Certificate

When you have your baby you should be given a birth registration form. This needs to be signed and sent into the Registry of Births, Deaths and Marriages within 60 days. The father of the child must sign the registration. You can provide his details, but they will not appear on your child's birth certificate unless he signs. If he is unwilling to sign, contact the Registry of Births, Deaths and Marriages for further information. The birth registration must be filed within the time limit (with or without the father's signature), otherwise, you may have to pay a fine. Many single mothers choose to share their own surname with their child. This is your choice, and can make things a lot easier in the future when filling in forms, enrolments, etc. for your family.

The father's name

Having the father's name on the birth certificate is an issue to think about. Having his name there does not count for as much as you might think.



Here are some facts:

- Claims for Child Support can be made even if the father is not on the birth certificate. This may require him signing a statutory declaration saying that he is the father, a presumption of paternity (paternity is presumed by the CSA if you were living with him between 44 and 20 weeks before the birth of your child), or a court order for paternity (DNA) testing.
- The father can still pursue visiting rights (contact) with the child whether his name is on the birth certificate or not. He can assert many of his parental rights regardless.
- Where both parents consent, or where paternity is later proven, the father's name can be added to the birth certificate at a later date
- Applying for a passport for your child is not necessarily easier without the father's name on the birth certificate.

Income Support

In the weeks immediately before the birth of your child, when you have ceased work due to your pregnancy, you may be entitled to claim unemployment benefit from Centrelink. You will need to provide letters from both your Doctor and your employer so that you are excused from meeting the normal requirements for this payment (e.g. attending meetings and applying for work).

Once your child is born you may be eligible for several other payments from Centrelink, including Maternity Allowance, Family Tax Benefit A and B, Parenting Payment Single, Rent Assistance (if you pay rent), Pharmaceutical Allowance and Childcare Allowance. When you receive the Parenting Payment you should also receive a Pensioner Concession Card which entitles you to a range of concessions including travel and utilities discounts. If you are studying you may be eligible for additional payments to support you while you study.

The amount you receive from Centrelink will depend on how much other income you have, for instance any money you earn from a part-time job or other income sources. Some payments will vary according to if, and how much, Child Support you receive from your child's father. If you have any problems regarding the Centrelink process you should make an appointment to speak with a social worker at Centrelink to discuss your situation further.

Child Support

Child Support is money paid by a non-residential parent to the parent who has ongoing daily care of their child. If you are claiming payments from Centrelink then you must apply for a Child Support Assessment (otherwise, your payments may be reduced). You can do this at the Child Support Agency (CSA) by phone or by sending in the appropriate form. An assessment for the Child Support payment is made based on the father's taxable income. Once the assessment is made the payments can be made directly from the father to you, or the CSA can collect the money for you. If the other parent doesn't pay voluntarily the CSA may be able to take the money from their wages. Sometimes this process can take several months.



In some cases it will be far easier to receive Child Support than others. It is likely to be easier if the father is a PAYE taxpayer and/or he submits regular tax returns. If he is self employed, works for cash, or does not file regular tax returns then it may be more difficult for the CSA to assess his income accurately and to collect the money from him. If your child's father is receiving Centrelink payments he may have to pay only a minimal amount of Child Support. If you have any problems regarding the Centrelink/CSA process you should make an appointment to talk to a social worker from Centrelink. In certain situations you may be exempt from applying for Child Support from your child's father. Dealing with Centrelink and the Child Support Agency can be difficult and time consuming. Making appointments and keeping records of all your contact with staff (phone calls, names, dates) can make life much easier.

Legal Matters

Advice and assistance from a family lawyer can be invaluable for issues such as making child support agreements and parenting orders (for residence and contact), as well as property and other financial matters. If you cannot afford to pay for a private lawyer, you can contact Legal Aid or your local Community Legal Centre. These services offer legal advice, assistance so you can represent yourself, help with legal documents and in some cases offer legal representation for free or low cost. Keep in mind that you and the father of your child cannot both be represented by the same legal firm or service, so you may want to register with the service of your choice as soon as possible.

Housing

The Department of Housing and Works may be able to assist you with bond assistance, public housing, or home-buying options for those on a low income. The *Sole Parent Family Home Loan Assistance Scheme* is a special scheme designed to assist sole parents and their kids stay in the family home following a relationship breakdown or the death of a partner. To find out more contact the Department (see contact details below)



Useful Contacts

Registry of Births, Deaths & Marriages

Phone: (08) 9264 1555

Centrelink

Family Assistance Office: 13 61 50

Appointments: 13 10 21

Website: www.centrelink.gov.au

Website: www.familyassist.gov.au

(Appointment bookings recommended)

Child Support Agency

Information: 13 12 72

Complaints: 13 29 19

Website: www.csa.gov.au

Legal Aid

Information: 1300 650 579

Child Support Unit: (08) 9261 6253

Website: www.legalaid.wa.gov.au

Legal advice and assistance.

Legal Aid can also refer you to local community legal centres.

Women's Law Centre

Phone: (08) 9272 8800

Telephone Access: Mon-Thurs 10-3pm.

Legal advice and assistance.

Family Court of WA

Phone: (08) 9224 8222

Website: www.justice.wa.gov.au

Women's Information Service

Phone: (08) 9264 1900

Website: www.wa.gov.au/wpdo

Information and referral on a range of women's issues.

Women's Health Service

Phone: (08) 9227 8122

Website: www.whs.org.au

Clinical services, counselling, health, support and education for women.

Department of Housing and Works (Homeswest)

Head Office Ph: (08) 9222 4666

Keystart Home Loans Ph: (08) 9338 3208

Website: www.dhw.wa.gov.au



For more information on this subject or any other **women's health** or **mental health issue** please contact us on (08) 9227 8122, or toll free on 1800 998 399

For information on issues specific to **Indigenous health** or for **drug and alcohol** related issues please contact us on (08) 9227 9032, or toll free on 1800 246 655