



## VETERANS' ENTITLEMENTS ACT 1986

### SECTION 29

Instrument No.8 of 1997

## REVOCATION OF THE GUIDE TO THE ASSESSMENT OF RATES OF VETERANS' PENSIONS

### *Revocation*

- (1) The Repatriation Commission, under subsection 29(2) of the *Veterans' Entitlements Act 1986* (the Act), revokes the Guide to the Assessment of Rates of Veterans' Pensions prepared by it under subsection 29(1) of the Act by instrument No.7 of 1994 (the old *Guide*), dated 10 June 1994 and approved by the Minister under subsection 29(3) of the Act on 17 June 1994.

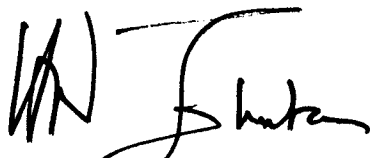
### *Application*

- (2) The Guide to the Assessment of Rates of Veterans' Pensions, instrument No.9 of 1997 (the new *Guide*), applies to any decision by the Repatriation Commission, the Veterans' Review Board, or the Administrative Appeals Tribunal on or after 1 March 1998, whether the proceedings relating to the decision commenced before, on, or after that date.
- (3) In the course of re-assessing or reviewing the assessment or re-assessment of the rate at which a pension is payable, the degree of incapacity of the person to whom that pension is payable shall not be a percentage that is less than the percentage of the general rate of pension constituted by the rate at which that pension was, immediately before 1 March 1998, payable unless:
  - (a) the degree of incapacity of that person from war-caused or defence-caused injury or disease has decreased (as assessed under the old *Guide*) since the rate of pension was previously assessed or last assessed; or
  - (b) the previous assessment or last assessment would not have been made but for a false statement or misrepresentation of a person.

*Commencement*

- (4) This instrument of revocation shall take effect upon the commencement of the new *Guide* approved by the Minister to come into operation on 1 March 1998.

Dated this *30<sup>th</sup>* day of *September* 1997



NEIL JOHNSTON  
PRESIDENT



KEITH LYON  
DEPUTY PRESIDENT



PAUL STEVENS  
COMMISSIONER