REPATRIATION COMMISSION

Veterans' Entitlements Act 1986

Veterans' Entitlements (Veterans’ Children Education Scheme) Eligible Child Amendment Instrument 2006


Dated 22nd September 2006

MARK SULLIVAN
PRESIDENT

ED KILLESTEYN
DEPUTY PRESIDENT

SIMON HARRINGTON
COMMISSIONER

Repatriation Commission
[1] **Name of Instrument**

This Instrument is the *Veterans' Entitlements (Veterans’ Children Education Scheme) Eligible Child Amendment Instrument 2006 No. R27/2006.*

[2] **Commencement**

This Instrument commences on the day after it is registered on the Federal Register of Legislative Instruments.

[3] **Definitions**

*Act* means the *Veterans’ Entitlements Act 1986.*

*Long Tan Bursary* means the bursary known as the Long Tan Bursary and awarded under the *Veterans’ Children Education Scheme.*

*Veterans’ Children Education Scheme* means the Scheme made under section 117 of the *Act.*

[4] **Saving/Application**

A person who, immediately before the commencement of this Instrument, was only eligible for a *Long Tan Bursary* (bursary) under the *Veterans’ Children Education Scheme* (VCES) is, upon the commencement of this Instrument, only eligible for the bursary under the VCES as varied by this Instrument.

[5] **Variations to the Veterans’ Children Education Scheme**

The Veterans’ Children Education Scheme is varied in accordance with the Schedule.
Schedule - Variations to the Veterans’ Children Education Scheme

Paragraph 2.1A.1

substitute:

2.1A.1 A person who is an Eligible child by virtue of a determination by the Commission under subsection 116C(2) of the Act that the person is within a class of persons determined by the Commission under section 116A of the Act, being a class of persons described in paragraph 2.1(c) of the Veterans’ Entitlements (Veterans’ Children Education Scheme) Eligible Child Determination 2006 No. R26/2006 (hereafter described as the Long Tan Class of Person) may be awarded a Long Tan Bursary but is not entitled to any other benefit under the Scheme if the person is an Eligible child only by virtue of being determined by the Commission to be an Eligible child because the person is within the Long Tan Class of Person.

Note: the intention is that in order for a person to be eligible under the Scheme for benefits generally, the person must be eligible for benefits on a ground other than that of being a person within a Long Tan Class of Person. A person who is an Eligible child under the Scheme solely because he or she falls within the Long Tan Class of Person is only eligible for the Long Tan Bursary and no other benefit under the Scheme. However there is nothing preventing an Eligible child eligible for benefits under the Scheme generally, from receiving a Long Tan Bursary if they are within the Long Tan Class of Person.

Paragraphs 7.3.2 and 7.3.3

substitute:

7.3.2 The Commission may award a Long Tan Bursary to an Eligible child but only if the person is an Eligible child by virtue of a determination under subsection 116C(2) of the Act that the person is within a class of persons described in paragraph 2.1 (c) of the Veterans’ Entitlements (Veterans’ Children Education Scheme) Eligible Child Determination 2006 No. R26/2006.

Note: generally speaking, only a needy child (including a former child) of a Vietnam veteran may receive a Long Tan Bursary where such child is making the transition to tertiary education.

7.3.3 In deciding whether or not to award a Long Tan Bursary to an Eligible child the Commission must take into account the matters in the document approved by the Commission in September 2006 and known as the "Long Tan Bursary Operational Guidelines".