Military Rehabilitation and Compensation Act
Education and Training Scheme (Income Support Bonus) Repeal Determination 2014

Military Rehabilitation and Compensation Act 2004

Instrument 2014 No. MRCC12

I, Michael Ronaldson, Minister for Veterans’ Affairs, pursuant to subsection 258(5) of the Military Rehabilitation and Compensation Act 2004, approve this instrument made by the delegates of the Military Rehabilitation and Compensation Commission.

Dated this 6th day of March 2014
Michael Ronaldson...............................................................

MICHAEL RONALDSON


Dated this 7th day of February 2014

The Seal of the Military Rehabilitation and Compensation Commission was affixed hereto in the presence of:

Simon Lewis                                      Shane Carmody

SIMON LEWIS                                       SHANE CARMODY
CHAIR                                               MEMBER

Major General Mark Kelly                             Air Vice-Marshall Anthony Needham

MAJOR GENERAL MARK KELLY                             AIR VICE-MARSHAL ANTHONY NEEDHAM
AO DSC                                               ACTING MEMBER
MEMBER
1. **Name of instrument**

   This instrument is the *Military Rehabilitation and Compensation Act Education and Training Scheme (Income Support Bonus) Repeal Determination 2014*.

2. **Commencement**

   (a) subject to (b) this Instrument commences when Schedule 8 of the *Minerals Resource Rent Tax Repeal and Other Measures Act 2014* commences.

   Note: Schedule 8 commences when the *Minerals Resource Rent Tax Repeal and Other Measures Act 2014* receives the Royal Assent.

   (b) item 1 of the Schedule is taken to have commenced when the *Military Rehabilitation and Compensation Act Education and Training Scheme (Income Support Bonus) Determination 2013* commenced.

3. **Savings**

   (a) If, before the commencement of this instrument in accordance with paragraph 2(a), a person was, under Part 3B of the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004*, eligible for an income support bonus on an income support bonus test day occurring before that commencement, then, despite the amendments made by items 2 and 3 of the Schedule, the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004*, as in force immediately before that commencement, continues to apply on and after that commencement in relation to that eligibility.

   (b) If, after the commencement of all provisions of this instrument, a person becomes eligible for an education allowance that takes effect before the commencement of items 2 and 3 of the Schedule, and the person would have been eligible for an income support bonus on an income support bonus test day occurring before the commencement of those items, the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004*, as in force immediately before the commencement of the items, continues to apply on and after the commencement of the items in relation to that eligibility on that income support bonus test day.
Schedule

1. Paragraph 3B.1.2

substitute:

3B.1.2 A person is eligible for an income support bonus on an income support bonus test day if:

(a) the person has attained the age of 16 years and is receiving, in respect of that day, an education allowance under paragraph 3.3, 3.4, 3.5, 3.6 of the Scheme; or

(b) the person has not attained the age of 16 years but is receiving, in respect of that day, an education allowance under paragraph 3.4, 3.5, 3.6 of the Scheme; or

(c) the person has attained the age of 16 years and the person's eligibility for an education allowance under paragraph 3.3, 3.4, 3.5, 3.6 of the Scheme takes effect before the income support bonus test day and the person would have received the education allowance on the income support bonus test day if the person had been eligible for the allowance at that time.

(d) the person has not attained the age of 16 years and the person's eligibility for an education allowance under paragraph 3.4, 3.5, 3.6 of the Scheme takes effect before the income support bonus test day and the person would have received the education allowance on the income support bonus test day if the person had been eligible for the allowance at that time.

Note: paragraphs (c ) and (d) cover the situation where an education allowance is backdated.

2. Paragraph 1.2.1 (definitions of “income support bonus” and “income support bonus test day”)

omit

3. Part 3B (Income Support Bonus)

omit