Repatriation Commission

Veterans' Entitlements (Veterans’ Children Education Scheme) Eligible Persons Determination 2017

Instrument 2017 No. R2

The Repatriation Commission, under subsection 116A(1) of the Veterans’ Entitlements Act 1986 (the Act) makes the following determination.

Dated this 2nd day of March 2017

The Seal of the Repatriation Commission was affixed hereto in the presence of:

<table>
<thead>
<tr>
<th>Simon Lewis</th>
<th>C Orme</th>
<th>MA Kelly</th>
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<tr>
<td>SIMON LEWIS</td>
<td>CRAIG ORME</td>
<td>MAJ GENERAL MKK</td>
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<tr>
<td>PRESIDENT</td>
<td>DSC AM CSC</td>
<td>AO DSC</td>
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<td>DEPUTY PRESIDENT</td>
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<td>COMMISSIONER</td>
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Authorised Version F2017L00268 registered 20/03/2017
1 Name

This instrument is the Veterans’ Entitlements (Veterans’ Children Education Scheme) Eligible Persons Determination 2017.

2 Commencement

This instrument commences on the day after it is registered.

3 Revocation

The Veterans’ Entitlements (Veterans’ Children Education Scheme) Eligible Child Determination 2006 is revoked.

4 Savings

A person who, immediately before the commencement of this instrument, was in a class of persons described in the revoked instrument is taken to be in that class under this instrument as if this instrument created the class.

Note: the intention is to enable a seamless transition of eligibility from the former instrument to the current one.

5 Definitions

In this instrument:

Act means the Veterans’ Entitlements Act 1986.

appropriately qualified professional means a person who is:

(a) a registered medical practitioner; or
(b) a registered psychologist; or
(c) a social worker who has completed a 4 year recognised degree and has eligibility for membership of the Australian Association of Social Workers.

child has the same meaning it has in subsection 5F(1) of the Act.

child of a veteran has the same meaning it has in section 10 of the Act.

registered medical practitioner means a medical practitioner (whether a general practitioner or specialist) who is registered with the Australian Health Practitioner Regulation Agency to practice as a medical practitioner.

registered psychologist means a psychologist who is registered with the Australian Health Practitioner Regulation Agency to practice as a psychologist.
**revoked instrument** means the *Veterans’ Entitlements (Veterans’ Children Education Scheme) Eligible Child Determination 2006*.

**veteran** means a person described in paragraph (a) of the definition of “veteran” in subsection 5C(1) of the *Act*.

**Vietnam service** means operational service, as described in section 6C, 6E or 6F of the *Act*, rendered by a veteran in Vietnam.

### 6 Purpose

The purpose of this instrument is to determine a class of persons, under subsection 116A(1) of the *Act*, for the purposes of paragraph (e) of the definition of “eligible child of a veteran” in subsection 116(1) of the *Act*.

*Note*: A person who falls within the definition of “eligible child of a veteran” is an “eligible child” within the meaning of section 116 of the *Act* and may be eligible for certain education and training benefits under the *Veterans’ Children Education Scheme* made under section 117 of the *Act*.

### 7 Determined classes of persons

For the purposes of paragraph (e) of the definition of “eligible child of a veteran” in subsection 116(1) of the *Act*, the Repatriation Commission determines the classes of persons in the items in the Schedule.
SCHEDULE

DETERMINED CLASSES OF PERSONS

Item 1

A person:

(a) who is a child of a veteran with Vietnam service, or who was a child of a veteran with Vietnam service (former child); and

(b) who:

   (i) is diagnosed by a registered medical practitioner or a registered psychologist as having a depressive disorder; or

   (ii) is, in the opinion of an appropriately qualified professional, vulnerable.

Item 2

A person:

(a) who is a child of a veteran with Vietnam service, or who was a child of a veteran with Vietnam service (former child); and

(b) who is making the transition to tertiary study and is academically able to complete an undergraduate degree (or similar tertiary course of study); and

(c) whose family circumstances are such that the person may require additional financial assistance.

Note (1): “Child” as defined in the Act has a different meaning to its normal meaning. A child is someone who is younger than 16 years or, if in full time education, younger than 25 years. A “former child” is, therefore, depending on their education circumstances, a person who is 16 years or older and not in full-time education, or 25 years or older.

Note (2): The class determined in item 2 is known as the “Long Tan Class of Person”. A person within this class is eligible for the benefits referred to in paragraph 7.3 of the Veterans’ Children Education Scheme (Instrument 2015 No. R43) namely, the Long Tan Bursary (see paragraph 7.3.2 of the Scheme).