

Veterans' Entitlements Amendment Regulations 2000 (No. 1)

2000 No. 187

EXPLANATORY STATEMENT

Statutory Rules 2000 No. 187

Issued by the Authority of the Minister for Veterans' Affairs

Veterans' Entitlements Act 1986

Veterans' Entitlements Amendment Regulations 2000 (No. 1)

Section 216 of the *Veterans' Entitlements Act 1986* (the Act) enables the Governor-General to make regulations prescribing matters that are required or permitted by the Act to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Section 110 of the Act provides for veterans, attendants, and veterans' dependants ("entitled persons") to be paid such travelling expenses as are prescribed where they travel for or in relation to, among other things, treatment. Travel expenses comprise amounts spent on: transport, accommodation and meals.

The *Veterans' Entitlements Regulations 1986* (the Principal Regulations) prescribe travelling expenses in relation to treatment and other matters.

The purpose of the amendment regulations is to increase the levels of travelling expenses.

The amendment regulations:

- * increase the level of expenses that may be reimbursed to entitled persons for meals and accommodation in relation to travel for treatment; and
- * increase the level of expenses for kilometres travelled that may be reimbursed to entitled persons in respect of travel for: treatment; attending the Repatriation Commission, the Department of Veterans' Affairs, the Veterans' Review Board, or the Administrative Appeals Tribunal; and for obtaining medical evidence. In the attachment these purposes for travel are referred to as "purposes for travel".

The relevant "reimbursements" were increased in order to offset the effects of the goods and services tax.

Details of the amendment regulations are set out in the attachment.

The regulations are taken to have commenced on 1 July 2000.

The fact that the regulations took effect before gazettal does not cause them to be ineffective by virtue of subsection 48(2) of the *Acts Interpretation Act 1901* because the rights of a person at gazettal would not be affected so as to disadvantage the person nor will a liability be imposed on any person in respect of anything done or omitted to be done before gazettal. The regulations are beneficial legislation.

ATTACHMENT

Veterans' Entitlements Amendment Regulations 2000 (No. 1)

Regulation 1 refers to the name of the regulations - the *Veterans' Entitlements Amendment Regulations 2000 (No. 1)*.

Regulation 2. provides for the regulations to be taken to have commenced on 1 July 2000.

Regulation 3 states that Schedule 1 of the regulations amends the Principal Regulations.

Regulation 4 provides that the amendments in Schedule 1 of the regulations apply to travel undertaken after 1 July 2000.

Schedule 1

subregulation 9(11) increases the amount reimbursable to entitled persons for the cost of transport by private motor vehicle, bus, train, tram or ferry for treatment or other purposes for travel from 21 cents km (21.3*) to 22 cents km.

paragraph 9(12)(a) increases the amount reimbursable to entitled persons for accommodation and meals in commercial accommodation that is not in a capital city from \$80 per night (\$81*) to \$90.80 per night.

paragraph 9(12)(b) increases the amount reimbursable to entitled persons for accommodation and meals in commercial accommodation that is in a capital city from \$95 per night (\$96.20*) to \$107.80 per night.

paragraph 9(12)(c) increases the amount reimbursable to entitled persons for accommodation and meals in subsidised accommodation from \$50 per night (\$50.60) to \$56.70.

paragraph 9(12)(d) increases the amount reimbursable to entitled persons for accommodation and meals in private accommodation from \$25 per night (\$25.30*) to \$28.30 per night.

subregulation 9(13) increases the amount reimbursable to an entitled person (not being an attendant) and an attendant for accommodation and meals, who share commercial accommodation for a night, from \$130 per night (\$131.60*) to \$147.50 per night.

paragraph 9(15)(a) increases the amount reimbursable to entitled persons for meals, on a day on which overnight accommodation is not required and the distance of travel exceeds 50km but not 200km, from \$8 per day (\$8.10*) to \$9.10 per day.

paragraph 9(15)(b) increases the amount reimbursable to entitled persons for meals, on a day on which overnight accommodation is not required and the distance of travel exceeds 200km, from \$16 per day (\$16.20*) to \$18.20 per day.

*as indexed