

## **EXPLANATORY STATEMENT**

### **Select Legislative Instrument 2008 No. 75**

Issued by the Authority of the Minister for Veterans' Affairs

*Veterans' Entitlements Act 1986*

*Veterans' Entitlements Amendment Regulations 2008 (No. 1)*

Section 216 of the *Veterans' Entitlements Act 1986* (the Act) provides, in part, that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters which are by the Act required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Subsection 140(2A) of the Act provides that copies of decisions and statements that are required to be served on the Repatriation Commission in respect of a review of a decision by the Veterans' Review Board shall be served on the Repatriation Commission by forwarding them to the "prescribed address".

Regulation 9A of the *Veterans' Entitlements Regulations 1986* (the Principal Regulations) specified an address in Woden, ACT as the prescribed address for the purposes of subsection 140(2A) of the Act. However, the business area of the Department of Veterans' Affairs which oversees the processing of decisions by the Veterans' Review Board on behalf of the Repatriation Commission has moved to Melbourne. As a result, the prescribed address for service of copies of the decisions and statements of the Veterans' Review Board needed to be changed to reflect the new Melbourne address to ensure that service of the copies of the decisions and statements by the Veterans' Review Board at the Melbourne address constituted service of the copies of the decisions and statements on the Repatriation Commission.

The Regulations amend the Principal Regulations to prescribe the new address for the purposes of subsection 140(2A) of the Act.

Further details of the Regulations are contained in the Attachment.

The Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulations commenced on the day after they were registered on the Federal Register of Legislative Instruments.

No consultation was undertaken in respect of the Regulations. The Rule-Maker was satisfied that consultation in respect of the Regulations was unnecessary because the Regulations were minor and technical in nature.

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**ATTACHMENT****Details of the *Veterans' Entitlements Amendment Regulations 2008 (No. 1)***

- Regulation 1      sets out the name of the Regulations - *Veterans' Entitlements Amendment Regulations 2008 (No. 1)*.
- Regulation 2      specifies that the Regulations commence on the day after they are registered on the Federal Register of Legislative Instruments.
- Regulation 3      provides that Schedule 1 amends the Principal Regulations.

**Schedule 1**

- Item [1]            substitutes a new Regulation 9A that prescribes the new address for postal and personal service for the purposes of subsection 140(2A) of the Act.