



## Repatriation Commission

*Veterans' Entitlements Act 1986*

### **Veterans' Entitlements Income (Exempt Lump Sum — Climate Change Adjustment Program Re-establishment Grant) Determination**

#### **Instrument No. R13/2008**

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I, BARRY TELFORD, Senior Executive Band 2 (Policy and Development Division), Department of Veterans' Affairs, and delegate of the Repatriation Commission, determine, under paragraph 5H(12)(c) of the *Veterans' Entitlements Act 1986* (VEA), that an amount specified in Part 2 of the Schedule as an exempt lump sum is an exempt lump sum for the purposes of the definition of "ordinary income" in subsection 5H(1) of the VEA.

Dated 28 May 2008

Barry Telford.. .....  
BARRY TELFORD

## SCHEDULE

### Part 1: Preliminary and Interpretation

#### 1. Explanation

- 1.1 Paragraph 5H(12)(c) of the VEA enables the Repatriation Commission to determine that an amount, or one of a class of amounts, is an exempt lump sum. The consequence of the determination is that the amount, or class of amounts, is not ordinary income for the purposes of the VEA.

#### 1.2 Name of Determination

- 1.2.1 This determination is the Veterans' Entitlements Income (Exempt Lump Sum – Climate Change Adjustment Program Re-establishment Grant) Determination No. R13 of 2008.

#### 1.3 Commencement of Determination

- 1.3.1 This Determination commences on 1 July 2008.

#### 1.4 Definitions

- 1.4.1 In this Determination:

***“income support payment”*** means a *service pension* or *income support supplement*.

***“income support supplement”*** means the payment called the *income support supplement* payable under Part IIIA of the VEA.

***“service pension”*** has the meaning given to *service pension* in subsection 5Q(1) of the VEA.

***“Re-establishment Grant”*** means a one-off Climate Change Adjustment Program Re-establishment Grant of up to \$150,000.00 made to a person by the Commonwealth Government Department of Agriculture, Fisheries and Forestry under the *Australia's Farming Future Initiative 2008*.

## Part 2: Exempt Lump Sum

### 2. Exempt Lump Sum — Climate Change Adjustment Program Re-establishment Grant

#### 2.1 Amount or class of amounts

(1) Paragraph 5H (12)(c) of the VEA enables the Repatriation Commission to determine that an amount, or one of a class of amounts, is an exempt lump sum.

(2) If:-

- (a) a person has received a *Re-establishment Grant*; and
- (b) the person is in receipt of, or has claimed, an *income support payment*;

then any amount received by the person as a *Re-establishment Grant* is an exempt lump sum.

#### 2.2 Application – Exempt Lump Sums

I determine that an amount, or class of amounts, paid to a person as mentioned in paragraph 2.1 (2)(a) is an exempt lump sum for the purposes of paragraph 5H (12) (c) of the VEA on and from the date that the payment is made.