

EXPLANATORY STATEMENT

Select Legislative Instrument 2012 No. 236

Issued by the Authority of the Minister for Veterans' Affairs

Veterans' Entitlements Act 1986

Veterans' Entitlements Amendment Regulation 2012 (No. 2)

Section 216 of the *Veterans' Entitlements Act 1986* (the Act) provides 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 by forwarding them to the "prescribed address".

Regulation 9A of the *Veterans' Entitlements Regulations 1986* (the Principal Regulations) specified an address in Melbourne, Victoria 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 Sydney. As a result, the prescribed address needed to be changed. This ensured that provision of the copies of the decisions and statements of the Veterans' Review Board to the Sydney address constituted service of the copies of the decisions and statements on the Repatriation Commission.

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

Further details of the Regulation are contained in the Attachment.

The Regulation is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The Regulation commenced on the day after it was registered on the Federal Register of Legislative Instruments.

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

Human rights implications

The Regulation does not engage an applicable right or freedom.

Warren Snowdon
Minister for Veterans' Affairs
Rule-Maker

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ATTACHMENT

Details of the *Veterans' Entitlements Amendment Regulation 2012 (No. 2)*

- Regulation 1 sets out the name of the Regulation - *Veterans' Entitlements Amendment Regulation 2012 (No. 2)*.
- Regulation 2 specifies that the Regulation commences on the day after it is 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.