



Repatriation Commission

## Veterans' Entitlements (Delayed Lodgment of Claims for Pension Bonus) Guidelines 2018

Instrument 2018 No. R17

The Repatriation Commission, under subsection 45UK(6) of the *Veterans' Entitlements Act 1986* makes the following Guidelines.

Dated this 1 of March 2018

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

Simon Lewis  
**SIMON LEWIS**  
PSM  
PRESIDENT

C Orme  
**CRAIG ORME**  
DSC AM CSC  
DEPUTY PRESIDENT

M A Kelly  
**MAJOR GENERAL MARK KELLY**  
AO DSC  
COMMISSIONER

**1 Name**

This instrument is the *Veterans' Entitlements (Delayed Lodgment of Claims for Pension Bonus) Guidelines 2018*.

## 2 Commencement

This instrument commences on the day after it is registered.

## 3 Authority

This instrument is made under subsection 45UK(6) of the *Veterans' Entitlements Act 1986*.

## 4 Revocation

The *Veterans' Entitlements (Delayed Lodgment of Claims for Pension Bonus) Guidelines 2007* is revoked.

## 5 Definitions

In the Guidelines:

*Act* means the *Veterans' Entitlements Act 1986*.

*designated pension* has the same meaning as it has in section 45TA of the *Act*.

## 6 Guidelines

- (1) For subsection 45UK(5) of the *Act*, this section contains guidelines about when special circumstances apply in relation to the lodgment of a claim for pension bonus by a person who is a registered member of the pension bonus scheme immediately before lodging a claim for a *designated pension*.
- (2) A special circumstance applies in relation to the lodgement of a claim for pension bonus by a person if:
  - (a) the person lodges the claim for pension bonus within 2 years of the date of lodgment of a claim for a *designated pension*; and
  - (b) an invitation was not made to the person under subsection 45UK(3) of the *Act* to lodge a claim for pension bonus; and
  - (c) an invitation should have been made because:
    - (i) the person was, to the knowledge of the Secretary, registered as a member of the pension bonus scheme; and

- (ii) the claim for a *designated pension* was made by the person in accordance with a form that did not require the claimant to disclose whether the claimant was registered as a member of the pension bonus scheme or the corresponding scheme under Part 2.2A of the *Social Security Act 1991*; and
    - (iii) a claim for pension bonus was not attached to the claim for a *designated pension*; and
  - (d) the person did not knowingly give the Secretary incorrect information that led the Secretary to conclude that the making of an invitation to lodge a claim for pension bonus by the person would be inappropriate.
- (3) A special circumstance applies in relation to the lodgement of a claim for a claim for pension bonus by a person if:
- (a) the person lodges the claim for pension bonus within 2 years of the date of lodgment of a claim for a *designated pension*; and
  - (b) all of the following apply:
    - (i) the claim for a *designated pension* was made by the person in accordance with a form that required the claimant to disclose whether the claimant was registered as a member of the pension bonus scheme or the corresponding scheme under Part 2.2A of the *Social Security Act 1991*;
    - (ii) the claimant did not disclose that information; and
    - (iii) the Secretary did not seek disclosure of that information before granting the claim for a *designated pension*.