



Veterans' Children Education Schemes Amendment (Increase in Education Allowance) Determination 2023

I, Matthew James Keogh, Minister for Veterans' Affairs, approve:

- (a) under subsection 117(9) of the *Veterans' Entitlements Act 1986*, the variations by the Repatriation Commission of the *Veterans' Children Education Scheme* in the following determination; and
- (b) under subsection 258(5) of the *Military Rehabilitation and Compensation Act 2004*, the variations by the Military Rehabilitation and Compensation Commission of the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* in the following determination.

Dated 12 September 2023

Matthew James Keogh
Minister for Veterans' Affairs

The Repatriation Commission makes the variation to the *Veterans' Children Education Scheme* in the following determination.

Dated 5 September 2023

The Seal of the Repatriation
Commission was affixed in the
presence of:

Alison Frame

President

Kate Pope

PSM

Deputy President

Glen Ferrarotto

Acting Member

~~Gwen Cherne~~

Member

The Military Rehabilitation and Compensation Commission makes the variation to the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* in the following instrument.

Dated 5 September 2023

The Seal of the Military
Rehabilitation and Compensation
Commission was affixed in the
presence of:

Alison Frame

Chair

Kate Pope

PSM

Member

Glen Ferrarotto

Acting Member

~~Gwen Cherne~~

Member

~~Rear Admiral Sarah Sharkey~~

AM CSC RAN

Member

Greg Vines

Acting Member

Major General Wade Stothart

DSC AM CSC

Member

Contents

1	Name	1
2	Commencement	1
3	Authority.....	1
4	Schedules	1
Schedule 1—Amendments		2
	<i>Veterans’ Children Education Scheme</i>	2
Schedule 2—Amendments		4
	<i>Military Rehabilitation and Compensation Act Education and Training Scheme 2004</i>	4

1 Name

This instrument is the *Veterans' Children Education Schemes Amendment (Increase in Education Allowance) Determination 2023*.

2 Commencement

This instrument commences on 20 September 2023.

3 Authority

- (1) This instrument is made under sections 117 of the *Veterans' Entitlement Act 1986* (VEA) and 258 of the *Military Rehabilitation and Compensation Act 2004* (MRCA).
- (2) The variations set out in the instruments in Schedules 1 and 2 to this instrument are approved by the Minister under subsections 117(9) of the VEA and 258(5) of the MRCA, respectively.

Note 1: If so approved, the variations to the determination to education schemes under section 117 of the VEA made by the Repatriation Commission is a legislative instrument made by the Minister on the day it is approved.

Note 2: If so approved, the variations to the determination to education schemes under section 258 of the MRCA made by the Military Rehabilitation and Compensation Commission is a legislative instrument made by the Minister on the day it is approved

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Veterans' Children Education Scheme

1 Paragraph 1.2.1, definition of *responsible departments*, Note

Repeal the Note, substitute:

Note: The Administrative Arrangements Order sets out Commonwealth Departments and the legislation they administer and could be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

2 Paragraph 2.4.1, Note

Repeal the Note, substitute:

Note: The Administrative Arrangements Order sets out Commonwealth Departments and the legislation they administer and could be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

3 Sub-paragraph 2.6.2(b)

Omit “3.8.4”, substitute “3.8.3”.

4..Paragraph 3.8.

Repeal the paragraph, substitute:

3.8.1 The amount of allowance for:

- (a) primary students is \$307.90 (paid annually);
- (b) *secondary students* who are under sixteen years and living at home is \$62.80 (paid fortnightly);
- (c) *secondary students* who are under sixteen years and living away from home is \$521.30 (paid fortnightly);
- (d) *secondary students* who are under sixteen years and who are also double orphans is \$377.20 (paid fortnightly);

and is to be indexed annually in accordance with paragraph 3.8.2.

Note 1: The amount of education allowance for *secondary students* aged sixteen years and over and living away from home, *secondary students* aged sixteen years and over and who are also double orphans, and *tertiary students*, including *tertiary students* living away from home, is set under paragraph 3.8.3.

Note 2: The education allowances payable under sub-paragraphs 3.8.1(a), (b), (c) and (d) are the rates payable on 20 September 2023.

Note 3: The education allowances payable under sub-paragraphs 3.8.1(a), (b), (c) and (d) are adjusted 12-monthly (see paragraph 3.8.2) every 1 January.

3.8.2 The allowances specified in paragraph 3.8.1 are to be indexed annually in accordance with the procedure set out in section 1191(1)(table item 3A) of the *Social Security Act 1991* for the indexation of benefits under that Act except that the reference to ‘YA MBR’ in column 2 of item 3A of the CPI Indexation Table in subsection 1191(1) is, for the purpose of the indexation of the relevant allowances under the Scheme, taken to be a reference to the relevant allowance specified in sub-paragraph 3.8.1(a), (b), (c) or (d).

-
- 3.8.3** The fortnightly education allowances payable in respect of all students aged sixteen years and over shall be increased annually to a rate equivalent to the maximum basic rate of youth allowance payable under Part 3.5 of the *Social Security Act 1991*.

Schedule 2—Amendments

Military Rehabilitation and Compensation Act Education and Training Scheme 2004

1 Paragraph 1.2.1, definition of *responsible departments*, Note

Repeal the Note, substitute:

Note: The Administrative Arrangements Order sets out Commonwealth Departments and the legislation they administer and could be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

2 Paragraph 2.4.1, Note

Repeal the Note, substitute:

Note: The Administrative Arrangements Order sets out Commonwealth Departments and the legislation they administer and could be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

3 Paragraph 3.8.1

Repeal the paragraph, including Notes, and substitute

3.8.1 The amount of allowance for:

- (a) primary students is \$307.90 (paid annually);
- (b) *secondary students* who are under sixteen years and living at home is \$62.80 (paid fortnightly);
- (c) *secondary students* who are under sixteen years and living away from home is \$521.30 (paid fortnightly);

and is to be indexed annually in accordance with paragraph 3.8.3.

Note 1: The amount of education allowance for *secondary students* aged sixteen years and over is set under paragraph 3.8.4.

Note 2: The education allowances payable under sub-paragraphs 3.8.1(a), (b), and (c) are the rates payable on 20 September 2023.

Note 3: The education allowances payable under sub-paragraphs 3.8.1(a), (b), and (c) are adjusted 12-monthly (see paragraph 3.8.3) every 1 January.