



Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Amendment Instrument 2024

The Repatriation Commission makes this instrument.

Dated 30 October 2024

The Seal of the
Repatriation Commission
was affixed to this instrument
in the presence of:

Mark Brewer
AM CSC and Bar
Acting Deputy President

Gwen Cherne
Commissioner

Kahlil Fegan
DSC AM
Commissioner

1 Name

This instrument is the *Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Amendment Instrument 2024*.

2 Commencement

This instrument commences on the day after the day it is registered.

3 Authority

This instrument is made under section 115S of the *Veterans' Entitlements Act 1986*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Instrument 2022

[1] Paragraph 5(1), definition of *related person*

substitute

related person: see subsection 115S(9) of the Act.

[2] Paragraph 6(1)(a)

substitute

- (a) subsection (2), (3), (4), (5) or (6) applies to the person at the time the person's eligibility for an acute support package is determined; and

[3] Paragraph 6(2)

omit

A person is covered by this subsection

substitute

This subsection applies to a person

[4] Paragraph 6(3)

omit

A person is covered by this subsection

substitute

This subsection applies to a person

[5] Paragraph 6(4)

omit

A person is covered by this subsection

substitute

This subsection applies to a person

[6] Paragraph 6(5) (heading)

omit

persons

substitute

people

[7] Paragraph 6(5)

omit

A person is covered by this subsection

substitute

This subsection applies to a person

[8] Paragraph 6(5)(a)

omit

the veteran

substitute

a veteran

[9] Paragraph 6(5)(b)

substitute

(b) the veteran is under 65 years of age;

[10] Paragraph 6(5)(e)

omit

experiencing,

substitute

experiencing

[11] Paragraph 6(6)

omit

A person is covered by this subsection

substitute

This subsection applies to a person

[12] Paragraph 7(2)(a)

omit

persons

substitute

people

[13] Paragraph 7(2)(b)

omit

those persons

substitute

the people

[14] Paragraph 7(3) (heading)

omit

Persons

substitute

People

[15] Paragraph 7(3)

omit

A person must not be included in a support plan for an acute support package for the purposes of paragraph (2)(a) unless:

substitute

For the purposes of paragraph (2)(a), a person may be included in a support plan for an acute support package only if:

[16] After paragraph 7(3)(a)

insert

- (b) if the package has been granted to a veteran:
 - (i) the person is a related person of the veteran; and
 - (ii) the Commission is satisfied that the person is experiencing, or is at risk of experiencing, crisis; or

[17] Paragraph 7(3)(d)(iii)

omit

crisis.

substitute

crisis;

[18] Paragraph 7(3)(e)

substitute

- (e) if the package has been granted to a parent or step-parent of a deceased veteran:
 - (i) the person is a child under 18 years of age of the deceased veteran; and
 - (ii) the parent or step-parent is parenting the child; and
 - (iii) the Commission is satisfied that the child is experiencing, or is at risk of experiencing, crisis; or
- (f) if the package has been granted to a parent or step-parent of a war widow or war widower in relation to a deceased veteran:
 - (i) the person is a child under 18 years of age of the deceased veteran; and
 - (ii) the parent or step-parent is parenting the child; and
 - (iii) the Commission is satisfied that the child is experiencing, or is at risk of experiencing, crisis; or
- (g) if the package has been granted to a parent or step-parent of another person who was the partner of a deceased veteran (the *former partner*):
 - (i) the person is a child under 18 years of age of the deceased veteran; and
 - (ii) the parent or step-parent is parenting the child; and
 - (iii) the Commission is satisfied that the child is experiencing, or is at risk of experiencing, crisis.

[19] Paragraph 9(1)(a)(ii)

omit

12 month

substitute

12-month

[20] Paragraph 9(1)(b)

omit

24 month period starting on the day the support plan comes into effect. and

substitute

24-month period starting on the day the support plan comes into effect; and

[21] Paragraph 9(1)(c)

substitute

- (c) for a support plan prepared for a parent or step-parent mentioned in paragraph 7(3)(e), (f) or (g)—a maximum of \$27,835 every 12 months for a continuous 24-month period starting on the day the support plan comes into effect.

[22] Paragraph 9(2)(b)

substitute

- (b) for a support plan prepared for a war widow or war widower—the end of the 24-month period mentioned in paragraph (1)(b); or
- (c) for a support plan prepared for a parent or step-parent mentioned in paragraph 7(3)(e), (f) or (g)—the end of the 24-month period mentioned in paragraph (1)(c).

[23] After section 12

insert

**Division 5 Operation of certain provisions—Veterans’
Entitlements (Defence, Veterans’ and Families’
Acute Support Package) Amendment Instrument
2024**

**13 Operation of subsection 5(1) and paragraphs 6(5)(b) and 7(3)(b)
during relevant period**

- (1) This section applies in relation to the determination of a person’s eligibility, made during the relevant period:
- (a) for the granting of an acute support package under section 6 (a **relevant determination**); or
- (b) for the person’s inclusion in a support plan under section 7 (a **relevant determination**).
- (2) An amendment made by the following provisions of the amending instrument is taken to have effect in relation to a relevant determination:
- (a) item 1 of schedule 1 (which substitutes the definition of ***related person*** in paragraph 5(1));
- (b) item 9 of schedule 1 (which substitutes paragraph 6(5)(b));
- (c) item 16 of schedule 1 (which inserts new paragraph 7(3)(b)).

- (3) However, the amendment does not affect a relevant determination made before the day after the registration day if giving effect to the amendment would:
- (a) affect a person's rights as at the registration day so as to disadvantage the person; or
 - (b) impose liabilities on a person in respect of anything done or omitted to be done before the registration day.
- (4) In this section:

amending instrument means the *Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Amendment Instrument 2024*.

registration day means the day the amending instrument is registered under section 15H of the *Legislation Act 2003*.

relevant period means the period beginning on 1 July 2023 and ending at the end of the registration day.