



Veterans' Entitlements (Income Exempt Lump Sums) Determination 2025

I, Luke Brown, a delegate of the Repatriation Commission, make the following determination.

Dated 31 January 2025

Luke Brown
First Assistant Secretary, Policy Division
Department of Veterans' Affairs

1 Name

This instrument is the *Veterans' Entitlements (Income Exempt Lump Sums) Determination 2025*.

2 Commencement

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

3 Authority

This instrument is made under paragraph 5H(12)(c) of the *Veterans' Entitlements Act 1986* (the *Act*).

4 Exempt lump sums—Schedule 1

For paragraph 5H(12)(c) of the Act, an amount received by a person or the person's partner is an exempt lump sum if the amount is 1 of a class of amount mentioned in Column 3 of an item of Schedule 1.

5 Repeals

Each instrument or part of the instrument mentioned in an item of Schedule 2 is repealed according to its terms.

Schedule 1—Exempt lump sums

(see section 4)

Column 1 Item	Column 2 Subject	Column 3 Class of amount
1	Japanese internment	Compensation payment— (a) as defined in the <i>Compensation (Japanese Internment) Act 2001</i> ; or (b) made under the <i>Veterans' Entitlements (Compensation — Japanese Internment) Regulations 2001</i>
2	North Korean internment	Compensation payment made under Part 2 (Compensation payments for North Korean internment) of the <i>Veterans' Entitlements (Clarke Review) Act 2004</i>
3	South Australia energy concession	One-off annual payment by the State Government of South Australia to people eligible for the South Australia Energy Concession to assist with their energy bills
4	Holocaust survivors	One-off payment made on or after 11 February 2000, from a Humanitarian Fund established by Swiss banks and administered by the World Jewish Restitution Organisation through the Executive Council of Australian Jewry, to a person who— (a) lived under the Nazi regime, Nazi occupation or Nazi collaborative regime; and (b) is an Australian citizen or an Australian resident; and (c) is in receipt of: (i) an income support payment within the meaning of the <i>Social Security Act 1991</i> ; or (ii) a pension
5	Annuity contracts	Amount paid to the person by life insurance business within the meaning of the <i>Life Insurance Act 1995</i> or superannuation fund as defined in subsection 10(1) of the <i>Superannuation Industry (Supervision) Act 1993</i> as the minimum amount payable

		<p>consistent with the need to convert the person's existing annuity contract to an asset test exempt product if—</p> <ul style="list-style-type: none"> (a) the person has an annuity contract with the life insurance business or superannuation fund that was current on 20 September 1998; and (b) the person received an income support payment, within the meaning of the <i>Social Security Act 1991</i>, on 19 September 1998; and (c) the annuity contract was converted to an asset test exempt product between 20 September 1998 and 31 July 1999
6	Home equity	<p>Amount greater than \$40 000 that is paid to or for the following people under a home equity conversion agreement—</p> <ul style="list-style-type: none"> (a) the person; (b) if the person is a member of a couple—the person's partner
7	Creutzfeldt-Jakob Disease (CJD)—patients	<p>Ex gratia payment paid to the person as a lump sum by the Commonwealth for risk of CJD because the person—</p> <ul style="list-style-type: none"> (a) received treatment under the Australian Human Pituitary Hormone Program during 1967 to 1985; and (b) showed that they suffered a recognised psychiatric illness because they had been told that they were at an increased risk of contracting CJD
8	CJD—children of patients	<p>Amount paid as an ex gratia lump sum paid to the person by the Commonwealth because:</p> <ul style="list-style-type: none"> (a) the person is a child of any of the following women (the <i>mother</i>): <ul style="list-style-type: none"> (i) Jane Allender; (ii) Jan Blight; (iii) Vonda Cummings; (iv) Jenny Halford; and (b) the mother received treatment under the Australian Human Pituitary Hormone Program during 1967 to 1985; and

		<p>(c) the mother has died from CJD; and</p> <p>(d) the person received the payment because the person showed that they suffered a recognised psychiatric illness because the mother died from CJD</p>
9	Accommodation bond or charges	<p>If the person is or was a resident of an aged care within the meaning of the <i>Aged Care Act 1997</i>—any of the following received by the person:</p> <p>(a) exempt bond amount within the meaning of clause 16 of Schedule 5 of the Act;</p> <p>(b) refunded amount within the meaning of clause 17B of Schedule 5 of the Act</p>
10	Crisis payment	Crisis payment granted under the <i>Veterans' Entitlements (Special Assistance) Regulations 1999</i>
11	Medical payment	Payment within the meaning of paragraph 8(8)(v) of the <i>Social Security Act 1991</i>
12	F111 deseal/reseal	One-off payment paid by the Department of Veterans' Affairs to the person as a participant in the Deseal/Reseal Program conducted by the Royal Australian Air Force or contractors on F-111 aircraft at Amberley, Australia, between 1973 and 2000
13	Motorcycle purchase	Amount received under the <i>Veterans' Entitlements (Special Assistance—Motorcycle Purchase) Regulations 2001</i>
14	Income received after end of market-linked income stream term	<p>Amount paid to the person by an asset-test exempt income stream that meets the requirements of subsection 5JBA(1) of the Act if:</p> <p>(a) the income stream is a market linked annuity or market linked pension within the meaning of the <i>Superannuation Industry (Supervision) Regulations 1994</i>; and</p> <p>(b) after the annual payment in the final year of the income stream, there is a residual balance in the account; and</p> <p>(c) clause 3 of Schedule 6 of the <i>Superannuation Industry (Supervision) Regulations 1994</i> requires the residual balance to be paid to the person within 28 days after the end of the term of the income stream</p>

Column 1 Item	Column 1 Subject	Column 3 Class of amount
15	Stolen wages	Payment made to the person or the partner by Queensland Government under a scheme operated by it to provide ex gratia lump sum payments to Aboriginal and Torres Strait Islander people whose wages and savings were controlled by the Queensland Government under a legislative regime known as the Protection Acts
16	Superannuation co-contribution	Co-contribution received by the person or the partner that is payable under the <i>Superannuation (Government Co-contribution for Low Income Earners) Act 2003</i> to individuals who have an annual income below the higher co-contribution income threshold, make eligible personal superannuation contributions and have employer-supported superannuation
17	Life insurance payout	Payment made to the person or the partner on death or terminal illness of someone else under a policy of insurance held by the person or the partner
18	Stolen generations	Payment made to the person or the partner by the South Australian Government under the scheme it operated to provide one-off ex gratia lump sum payments to Aboriginal people— (a) who were removed from their parents or family as children before 31 December 1975 without a court order; and (b) either— (i) their usual place of residence, when removed, was South Australia; or (ii) they were removed by South Australian authorities
19	Compensation for detriment	Payment received by the person or the partner under the Compensation for Detriment Caused by Defective Administration scheme or a payment known as an act of grace payment made under section 65 of the <i>Public Governance, Performance and Accountability Act 2013</i> : (a) to reimburse expenses or compensate for other financial loss incurred by the person or partner due to an administrative error made by an employee of, or contractor to,

		<p>the Department of Veterans' Affairs, or by the Repatriation Commission or Military Rehabilitation and Compensation Commission; or</p> <p>(b) in lieu of an amount payable to the person or partner under the <i>Social Security Act 1991</i>, the <i>A New Tax System (Family Assistance) Act 1999</i>, the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i> or the Act</p>
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Schedule 2—Repeals

(see section 5)

Veterans' Affairs (Legislative Instrument Re-making Exercise) Instrument 2014

1 Schedule 9

Repeal the schedule

2 Schedule 10

Repeal the schedule

Veterans' Entitlements (Income Exempt Lump Sum – Assistance to Purchase Motorcycle) Determination 2015

3 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum — F-111 Deseal/Reseal Lump Sum Payment) Determination 2015

4 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum - Government of South Australia Energy Concession Bonus) Determination 2015

5 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum – Japanese internment Compensation) Determination 2015

6 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum – Miscellaneous) Determination 2015

7 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum – North Korean internment Compensation) Determination 2015

8 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Exempt Lump Sum – Life Insurance Payouts) Determination 2016

9 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum – Queensland Stolen Wages Reparation Payment Scheme) Determination 2016

10 The whole of the instrument

Repeal the instrument

Veterans' Entitlements Income (Exempt Lump Sum – Superannuation Co-contribution Amounts) Determination 2016

11 The whole of the instrument

Repeal the instrument

Veterans' Entitlements (Income Exempt Lump Sum – South Australian Stolen Generations Reparations Scheme) Determination 2016

12 The whole of the instrument

Repeal the instrument