



Veterans' Entitlements (Vehicle Assistance Scheme) Determination 2025

I, Matthew James Keogh, Minister for Veterans' Affairs, approve for the purposes of subsections 105(8) and (11) of the *Veterans' Entitlements Act 1986*, the determination by the Repatriation Commission in the following instrument.

Dated 5 March 2025

Matthew James Keogh
Minister for Veterans' Affairs

The Repatriation Commission makes the following instrument.

Dated 19 February 2025

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

Alison Frame
President

Mark Brewer
AM CSC and Bar
Deputy President

Gwen Cherne
Commissioner

Kahlil Fegan
DSC AM
Commissioner

PART 1 PRELIMINARY

1.1 Name

This instrument is the *Veterans' Entitlements (Vehicle Assistance Scheme) Determination 2025*.

1.2 Commencement

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

1.3 Authority

This instrument is made under subsections 105(1) and (10) of the Act.

1.4 Repeal

Schedule 1 to the *Veterans' Affairs (Legislative Instrument Re-making Exercise) Instrument 2014* is repealed.

PART 2 INTRODUCTION

Subpart 2.1 Purpose of the Vehicle Assistance Scheme

2.1.1 Purpose

The purpose of the Vehicle Assistance Scheme is to assist eligible veterans with:

- (a) the provision of a suitable motor vehicle; and
- (b) the running, maintenance, and replacement of a motor vehicle that has been provided under this Scheme.

Subpart 2.2 Interpretation

2.2.1 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

Commission

In this instrument:

Act means the *Veterans' Entitlements Act 1986*.

department means the Commonwealth Department of Veterans' Affairs.

derive benefit from assistance has the meaning given by paragraph 3.2.1, 3.2.2 or 3.2.3.

eligible veteran means a veteran who is eligible to participate in the Scheme because of incapacity from war-caused injury or disease as specified in sub-sections 105(5) and 105(7) of the Act.

Note 1: Subsections 105(5) and 105(7) provide:

(5) A veteran is, subject to subsection (7), eligible to participate in the Vehicle Assistance Scheme if the veteran is incapacitated from war-caused injury or war-caused disease by reason of:

- (a) amputation of both legs above the knee;
- (b) amputation of one leg above the knee and, in addition:
 - (i) amputation of the other leg at or above the ankle and amputation of one arm at or above the wrist; or
 - (ii) amputation of both arms at or above the wrists;
- (c) complete paraplegia resulting in the total loss of voluntary power in both legs to the extent that there is insufficient power for purposeful use for stance or locomotion; or
- (d) a condition that, in the opinion of the Commission, is similar in effect or severity to a condition described in paragraph (a) or (b).

(7) For the purposes of subsection (5):

- (a) a leg that has been rendered permanently and wholly useless above the knee shall be treated as if it had been amputated above the knee;
- (b) a veteran shall not be taken to be incapacitated by reason of the disability described in paragraph (5)(c) unless the disability is such that surgical or

other therapeutic measures are not reasonably capable of restoring power for purposeful use for stance or locomotion; and

- (c) a reference to the Vehicle Assistance Scheme shall, unless the contrary intention appears, be read as a reference to:
 - (i) the Vehicle Assistance Scheme prepared under subsection (1) and approved by the Minister, but not being such a Scheme that has been revoked; or
 - (ii) if that Scheme has been varied under subsection (2) by an instrument approved by the Minister—that Scheme as so varied.

Note 2: Section 96 of the Act provides that for the purposes of this Scheme “veteran” is to be read as including a reference to a member of the Forces or a member of a Peacekeeping Force as defined in section 68 of the Act.

former scheme means the Vehicle Assistance Scheme (Instrument 1997 No. 1).

initial motor vehicle means a motor vehicle for the purchase of which the Commission has granted financial assistance to a veteran under paragraph 4.1.1.

previous motor vehicle means the last motor vehicle for the purchase of which the Commission has granted financial assistance to a veteran under this Scheme.

replacement motor vehicle means a motor vehicle for the purchase of which the Commission has granted financial assistance to a veteran under paragraph 6.1.1.

running and maintenance allowance means an allowance paid annually under paragraph 5.1.1 to an eligible veteran to assist with the cost of running and maintaining a motor vehicle provided under the Scheme.

scheme means this Vehicle Assistance Scheme, determined by the Commission and approved by the Minister in accordance with section 105 of the Act.

war-caused includes “defence-caused” as provided for in section 96 of the Act.

2.2.2 Notes

In this Scheme if a Note follows a paragraph or subparagraph, the Note is taken to be part of that paragraph or subparagraph, as the case may be.

Subpart 2.3 General operation of the Scheme

2.3.1 Scope of the Scheme

This Scheme permits the Commission, in specified circumstances, to grant an eligible veteran:

- (a) financial assistance to purchase an initial motor vehicle; or
- (b) financial assistance to purchase a replacement motor vehicle; and
- (c) in respect of an initial or replacement motor vehicle:
 - (i) a running and maintenance allowance; and
 - (ii) one or more driving devices and modifications grants.

Subpart 2.4 Application for approval to participate in the Scheme

2.4.1 Who may participate in the Scheme

A veteran who satisfies the eligibility criteria in paragraph 3.1.1 may apply to participate in the Scheme by making an application in writing in accordance with a form approved by the Commission for that purpose.

2.4.2 When an application is taken to be made

For the purpose of this Scheme, an application will only be taken to have been made when it is received at an office of the Department in Australia.

2.4.3 Documents to accompany application

The application must be accompanied by such certificates and other documentation as are required to be furnished by this Scheme.

2.4.4 Commission must determine application

When the application is submitted to the Commission, the Commission must consider all matters that are relevant to the application and must then determine the application.

2.4.5 Commission may require an undertaking

The Commission may require a veteran who is provided with any assistance under the Scheme to give a written undertaking to comply with the conditions set out in the Scheme.

2.4.6 Compliance with the Scheme

The conditions set out in the Scheme must be complied with even if a written undertaking has not been given under paragraph 2.4.5.

Subpart 2.5 Failure to comply with provisions of the Scheme

2.5.1 Disqualification from receiving assistance under the Scheme

Where a veteran has failed, without reasonable excuse, to comply with a provision of the Scheme, the veteran shall be disqualified from receiving any assistance under the Scheme for a period of ten years from the time of the failure to comply.

PART 3 — ELIGIBILITY

Subpart 3.1 Eligibility

3.1.1 Eligibility

A veteran is eligible for assistance under this Scheme only if the Commission is satisfied that the veteran:

- (a) is an eligible veteran; and
- (b) can derive benefit from assistance under the Scheme.

Note: Whether a veteran can “derive benefit” is determined under paragraph 3.2.1, 3.2.2 or 3.2.3.

Subpart 3.2 Capacity to derive benefit from assistance

3.2.1 Criteria to “derive benefit” if veteran can drive

For the purposes of determining an application for financial assistance towards an initial motor vehicle or a replacement motor vehicle, if an eligible veteran can personally drive the motor vehicle, the Commission will be satisfied that the veteran can derive benefit from assistance under the Scheme only if the veteran:

- (a) will benefit directly from using the motor vehicle; and
- (b) holds a valid driver’s licence; and
- (c) will be able to drive the motor vehicle in reasonable comfort and safety; and
- (d) will drive the motor vehicle regularly.

3.2.2 Criteria to “derive benefit” for initial grant if veteran cannot drive

For the purposes of determining an application for financial assistance towards an initial motor vehicle, if an eligible veteran cannot personally drive the motor vehicle, the Commission will be satisfied that the veteran can derive benefit from assistance under the Scheme only if:

- (a) the veteran has a partner or carer who:
 - (i) holds a valid driver’s licence; and
 - (ii) is willing and able to drive the motor vehicle; and
- (b) the veteran is capable of being readily transported in the motor vehicle; and
- (c) the veteran will be transported in the motor vehicle regularly by the person referred to in subparagraph (a).

3.2.3 Criteria to “derive benefit” for replacement motor vehicle if veteran cannot drive

For the purposes of determining an application for financial assistance towards a replacement motor vehicle, if an eligible veteran cannot personally drive the motor vehicle the Commission will be satisfied that the veteran can derive benefit from assistance under the Scheme only if:

- (a) the veteran has a partner or carer who:
 - (i) holds a valid driver’s licence; and
 - (ii) is willing and able to drive the motor vehicle; and

either:

- (b) the veteran will be regularly transported in the motor vehicle and in reasonable comfort and safety; or
- (c) the partner or carer will regularly drive the motor vehicle to visit the eligible veteran at the veteran's permanent or temporary place of residence (not being the residence of the partner or carer).

PART 4 CONDITIONS FOR PROVISION OF AN INITIAL MOTOR VEHICLE

Subpart 4.1 Provision of an initial motor vehicle

4.1.1 Grant of financial assistance

Subject to paragraphs 4.1.2 to 4.1.4 and the conditions in Schedule 1, the Commission may grant financial assistance to an eligible veteran to purchase an initial motor vehicle of the veteran's own choice.

4.1.2 Initial motor vehicle to meet certain requirements

An initial motor vehicle:

- (a) must be a new motor vehicle; and
- (b) must be registered under the relevant law of the State or Territory in which the veteran resides in the name of the veteran to whom financial assistance is granted; and
- (c) must not be provided to a veteran who has previously been provided with financial assistance to purchase an initial motor vehicle under the Scheme.

Note: Paragraph 9.1.1 deems a veteran who has been provided with an initial motor vehicle under the former Scheme to have been provided with that motor vehicle under this Scheme.

4.1.3 Amount of grant, and conditions

The financial assistance payable in respect of an initial motor vehicle:

- (a) is an amount calculated in accordance with Schedule 1; and
- (b) is granted subject to the conditions of this Scheme, including the conditions in that Schedule.

4.1.4 Motor vehicle from another scheme

A veteran is not to be granted financial assistance to purchase an initial motor vehicle under this Scheme if the veteran has received, or has an enforceable claim to receive, a motor vehicle:

- (a) under any other scheme of compensation; or
- (b) in settlement of a claim for damages.

Subpart 4.2 General conditions

4.2.1 Requirements when granted an initial motor vehicle

A veteran who has obtained an initial motor vehicle under the Scheme must:

- (a) register the motor vehicle; and
- (b) comprehensively insure the motor vehicle to its full market value.

Note: The requirements for registration are in subparagraph 4.1.2(b).

4.2.2 Ownership of motor vehicle

Upon compliance with paragraph 4.2.1, the Commonwealth is taken to be divested of any and every interest in the initial motor vehicle.

4.2.3 Ineligibility for further assistance

The Commission may determine that a veteran is ineligible for further assistance under the Scheme if:

- (a) the eligible veteran ceases to derive benefit from assistance that has been granted under the Scheme and the Commission is not satisfied that there are exceptional circumstances justifying the provision of continued assistance under the Scheme to the veteran; or

Note: To determine if a veteran has ceased to derive benefit from assistance under the Scheme refer to paragraphs 3.2.1, 3.2.2 and 3.2.3.

- (b) the veteran sells or otherwise disposes of an initial motor vehicle and no replacement motor vehicle grant is provided under Part 6; or
- (c) the motor vehicle is stolen or destroyed and the veteran was at fault, in whole or in part, in causing or permitting the vehicle to be stolen or destroyed.

4.2.4 Eligibility following theft or destruction of the motor vehicle

If a motor vehicle provided to a veteran under the Scheme has been stolen or destroyed through no fault of the veteran, the veteran is eligible to apply for a replacement motor vehicle grant under the Scheme.

4.2.5 Expenses relating to the sale of motor vehicle

If a veteran sells a motor vehicle acquired under the Scheme, the Commonwealth shall not be liable for any expenses relating to that sale.

PART 5 RUNNING AND MAINTENANCE ALLOWANCE

Subpart 5.1 General conditions

5.1.1 Grant of running and maintenance allowance

The Commission may grant an annual running and maintenance allowance to an eligible veteran who has been provided with an initial or replacement motor vehicle under the Scheme.

Note: For provisions relating to replacement motor vehicles see Part 6.

5.1.2 Purpose of the allowance

The purpose of the running and maintenance allowance is to assist eligible veterans with the cost of motor registration, motor vehicle insurance, and other incidental costs related to the running and maintenance of motor vehicles for which assistance has been granted under the Scheme.

5.1.3 Documents to be provided each year

A veteran to whom a running and maintenance allowance has been granted must present to the Department, each year, a currently valid:

- (a) motor vehicle registration certificate; and
- (b) compulsory third party motor vehicle insurance certificate; and
- (c) comprehensive motor vehicle insurance certificate specifying that the motor vehicle is insured for its full market value; and
- (d) driver's licence in the name of the person who regularly drives the motor vehicle.

5.1.4 Documents to be provided upon request

If a running and maintenance allowance has been granted to an eligible veteran under the Scheme, the veteran must, if requested, provide to the Department the following:

- (a) documentary evidence showing that the purposes and conditions of the allowance have been and will continue to be met; and
- (b) documentary evidence of the actual expenditure incurred on items for which the allowance was made.

5.1.5 Rate of allowance

The maximum rate of running and maintenance allowance is set out in Schedule 2.

5.1.6 Not eligible for allowance if in receipt of other mobility benefits

A running and maintenance allowance is not to be granted or paid under this Part if the veteran is receiving:

- (a) a Mobility Allowance paid in accordance with Part 2.21 of the Social Security Act; or
- (b) a payment or any other benefit for mobility related disabilities under any other law or contract.

PART 6 GRANTS

Subpart 6.1 General conditions

6.1.1 Grants that may be provided

Subject to this Part, the Commission may grant to an eligible veteran either or both:

- (a) a driving devices and modifications grant; and
- (b) a replacement motor vehicle grant.

6.1.2 Amount of grant

The amount of the grant that may be made under paragraph 6.1.1 is an amount that the Commission considers is reasonable in all the circumstances of the case, having regard to all relevant matters, which may include:

- (a) the nature of the incapacity of the veteran from war-caused injury, or war-caused disease, or both; and
- (b) the nature of the proposed driving devices or modifications; and
- (c) whether there are alternative suitable driving devices or modifications that are reasonably available and cost effective; and
- (d) whether there are alternative providers of suitable driving devices or modifications that are reasonably accessible and cost effective.

6.1.3 Documents to be provided

If a grant has been made to an eligible veteran under the Scheme, the veteran must, if requested, provide to the Department:

- (a) documentary evidence showing that the purposes and conditions of the grant have been and will continue to be met; and
- (b) documentary evidence of the actual expenditure incurred on items for which the grant was made.

Subpart 6.2 Driving devices and modifications grant

6.2.1 Purpose of the grant

The purpose of a driving devices and modifications grant is to enable the purchasing and fitting of necessary driving devices and other modifications to an initial or replacement motor vehicle provided to a veteran under the Scheme.

6.2.2 Requirements to be satisfied before grant made

The Commission may grant an eligible veteran a driving devices and modifications grant only if the proposed driving devices and modifications are necessary to enable the veteran to drive safely, or be transported safely in the motor vehicle, in reasonable comfort.

6.2.3 Direct payment to motor vehicle dealer

The Commonwealth shall pay the supplying motor vehicle dealer directly for the provision and fitting of any necessary driving devices and modifications that the Commission has approved.

6.2.4 Grant not to be approved if benefit received under other law or contract

The Commission shall not approve the payment of necessary driving devices and modifications on any motor vehicle provided under the Scheme if the veteran has received a benefit under any other law or contract which provides for the fitting of such devices or modifications.

Subpart 6.3 Replacement motor vehicle grant

6.3.1 Purpose of the grant

The purpose of a replacement motor vehicle grant is to make some financial contribution towards the cost of a motor vehicle purchased to replace either an initial motor vehicle or a replacement motor vehicle for which assistance has been granted to a veteran under the Scheme.

6.3.2 Grant may be made two years after initial motor vehicle grant

Subject to paragraph 4.2.4, a replacement motor vehicle grant may only be made after the two years immediately following the provision of an initial motor vehicle or a replacement motor vehicle grant under the Scheme. The replacement vehicle must be registered in the name of the veteran to whom financial assistance has been granted.

Note: Paragraph 4.2.4 provides that if a motor vehicle provided to a veteran has been stolen or destroyed through no fault of the veteran, the veteran is eligible to apply for a replacement motor vehicle grant under the Scheme.

6.3.3 Trade-in or sale of previous motor vehicle

Unless the previous motor vehicle was stolen or destroyed, a replacement motor vehicle grant may be granted to a veteran only if:

- (a) a veteran trades-in or sells:
 - (i) an initial motor vehicle in respect of which financial assistance has been granted under the Scheme; or
 - (ii) a replacement motor vehicle; and
- (b) documentary evidence of the trade-in valuation for the motor vehicle traded-in is provided to the Department; and
- (c) the full trade-in value or sale price is offset against the cost of the replacement motor vehicle.

6.3.4 Replacement motor vehicle grant if previous motor vehicle stolen or destroyed

If the previous motor vehicle was stolen or destroyed, a veteran may be provided with a replacement motor vehicle grant only if:

- (a) documentary evidence of the amount of the insurer's write-off payment is provided to the Department; and
- (b) the full amount of the insurer's write-off payment is used towards the cost of the replacement motor vehicle.

6.3.5 Not eligible for grant if received another motor vehicle

A replacement motor vehicle grant is not to be made under this Part if the veteran has, since obtaining the initial motor vehicle, received:

- (a) a payment for the purchase of a motor vehicle; or
- (b) a motor vehicle;

under any other law or contract.

PART 7 REVIEW OF DECISIONS

Subpart 7.1 Review by the Commission

7.1.1 Who may seek a review

If a veteran is dissatisfied with any decision of the Commission in respect of a claim for assistance under the Scheme, the veteran may apply for review of that decision by the Commission.

7.1.2 Making a request for review

An application for review of a decision under the Scheme must be made in writing and lodged at an office of the Department in Australia within three months after the veteran has been served with a copy of the written decision.

7.1.3 Review by the Commission of its own motion

If the Commission is of the opinion that sufficient reason exists for reviewing any decision under this Scheme, the Commission may, in its absolute discretion, do so, even if no application for review has been made under paragraph 7.1.2.

7.1.4 Delegate must not review own decision

If the person who made the decision under review was a delegate of the Commission under this Scheme, that person must not review the decision.

PART 8 DETERMINATION OF CLAIMS AND DELEGATION OF POWERS

Subpart 8.1 Determination of claims and applications for review

8.1.1 Determination by Commission

The Commission must determine:

- (a) all claims for assistance under the Scheme, including claims for grants and allowances; and
- (b) all applications for review of decisions made under this Scheme.

Subpart 8.2 Delegation of powers

8.2.1 Delegation

The Commission may, generally or as otherwise provided by instrument in writing, delegate to an officer or employee of the Department, any of its powers under this Scheme, except this power to delegate.

8.2.2 Power exercised by delegate

A power delegated by the Commission under paragraph 8.2.1, when exercised by the delegate, shall, for the purposes of this Scheme, be deemed to have been exercised by the Commission.

8.2.3 Commission may exercise power itself

A delegation of a power under paragraph 8.2.1 does not prevent the exercise of a power by the Commission.

PART 9 TRANSITIONAL PROVISIONS

Subpart 9.1 Transitional provisions

9.1.1 Eligible veterans under the former Scheme

An eligible veteran who has obtained a motor vehicle, or has received a grant or allowance under the former Scheme:

- (a) is taken to have been provided with that motor vehicle, grant or allowance under this Scheme; and
- (b) is subject to the conditions and provisions of this Scheme.

9.1.2 Transfer of the Commonwealth's interest in a motor vehicle

Upon the commencement of this Scheme, any interest that the Commonwealth had, immediately before the commencement of this Scheme, in a motor vehicle in the possession of a veteran who:

- (a) obtained it under the former Scheme; and
- (b) has not contravened any provision of the former Scheme; and
- (c) at the commencement of this Scheme, remained able to derive benefit from assistance;

is taken to have passed from the Commonwealth to the eligible veteran, notwithstanding anything to the contrary in the former Scheme.

9.1.3 Obligations under the former Scheme

If an eligible veteran was under an obligation under the former Scheme, and a provision of this Scheme provides for an equivalent obligation to apply to an eligible veteran, the veteran is taken to be under that obligation under this Scheme.

Schedule 1—Financial Assistance for an Initial Motor Vehicle

1 Maximum value of an initial motor vehicle

Subject to paragraph 4 of this Schedule, the maximum value of an initial motor vehicle that may be purchased under the Scheme is \$39,810.

2 Placing the order and authorisation of payment

If the Commission has determined that a veteran is eligible for assistance under this Scheme:

- (a) the veteran may place the order for an initial motor vehicle of their own choice directly with the supplying motor vehicle dealer; and
- (b) subject to paragraph 3 of this Schedule, the Commission shall authorise payment of an amount equivalent to the retail price of the motor vehicle direct to the supplying dealer.

3 Retail price greater than maximum value

Subject to paragraph 4 of this Schedule, if the retail price of the initial motor vehicle chosen by the veteran is more than the amount specified in paragraph 1 of this Schedule, the Commission shall only authorise payment to the supplying motor vehicle dealer of the amount specified in paragraph 1 of this Schedule.

4 Where more than the maximum value can be authorised

If the Commission is satisfied that the provision of a more expensive motor vehicle is necessary due to the nature of the veteran's incapacity from war-caused injury or war-caused disease, or both, the Commission may authorise payment of the whole or part of the difference in cost between the amount specified in paragraph 1 of this Schedule, and the actual purchase price of the initial motor vehicle.

5 Payment by Commonwealth only a contribution

Subject to paragraph 4 of this Schedule, any amount authorised by the Commission to be paid to the supplying motor vehicle dealer is only a contribution towards the purchase of the initial motor vehicle. The Commonwealth is not liable to pay the supplying dealer either in whole or in part the difference between that contribution and the price of the motor vehicle.

Schedule 2—Running and Maintenance Allowance

1 Rate of the allowance

The running and maintenance allowance is paid annually in advance, and is equal to 26 times the rate of Recreation Transport Allowance, set out in item 1 of the Table in subsection 104(1) of the Act, that applies at the date of payment of the allowance.

Note: Section 198D of the Act provides for indexation of the rate of Recreation Transport Allowance.

Schedule 3—Replacement Motor Vehicle Grant

1 Maximum replacement motor vehicle grant

The maximum replacement motor vehicle grant that may be paid to a veteran is an amount representing the difference between the trade-in value or sale price of the previous motor vehicle and the purchase price of the replacement motor vehicle, but, subject to paragraph 3, cannot be greater than \$19,905.

2 Placing the order for the replacement motor vehicle

If the Commission has determined that a veteran is eligible for a replacement motor vehicle under this Scheme, the veteran may place the order for a replacement motor vehicle directly with the supplying motor vehicle dealer. However, if the previous motor vehicle was not stolen or destroyed, no grant can be made until after a statement from a motor dealer has been received at an office of the Department in Australia certifying the trade-in value or the sale price of the previous motor vehicle.

3 Where price of replacement motor vehicle exceeds maximum grant

Subject to paragraph 4 of this Schedule, if the difference between:

- (a) the trade-in value, the sale price, or the insurer's write-off payment, as the case may be; and
- (b) the purchase price of the replacement motor vehicle;

exceeds the amount specified in paragraph 1 of this Schedule, the Commission shall only authorise payment to the supplying motor vehicle dealer of an amount equivalent to the amount specified in paragraph 1 of this Schedule.

4 Where more than the maximum grant can be authorised

If the Commission is satisfied that the provision of a more expensive motor vehicle is necessary because of the veteran's incapacity from the war-caused injury or war-caused disease, or both, the Commission may authorise payment of the whole or part of the difference in cost between the amount specified in paragraph 1 of this Schedule and the actual purchase price of the replacement motor vehicle.

5 Payment by Commonwealth only a contribution

Subject to paragraph 4 of this Schedule, any amount authorised by the Commission to be paid to the supplying motor vehicle dealer is only a contribution towards the purchase of the replacement motor vehicle and the Commonwealth is not liable to pay the supplying dealer either in whole or in part the difference between that contribution and the full price of the motor vehicle.