

# **Veterans' Support Amendment Bill (No 2)**

Government Bill

As reported from the Social Services and Community Committee

## **Commentary**

### **Recommendation**

The Social Services and Community Committee has examined the Veterans' Support Amendment Bill (No 2) and recommends that it be passed with the amendments shown.

### **Introduction**

This bill follows an independent review of the Veterans' Support Act 2014 that was completed in March 2018.<sup>1</sup> The review, which was provided for in the Act and completed by Professor Ron Paterson, looked at how well arrangements have been working for services and support to veterans and their families. The Paterson Report made numerous recommendations for improvements to the Act.

The bill would amend the Veterans' Support Act to implement an initial set of recommendations from the report. Some recommended improvements that do not require legislative change have already been implemented by Veterans' Affairs New Zealand (VANZ). Further legislative changes are likely to be proposed in the future, following more thorough policy review and consultation.

The changes proposed by this bill would:

- improve access to services for veterans
- improve support for veterans' families
- support veterans and their families at the end of the veteran's life

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<sup>1</sup> The report on the review is available here: [Warrant of Fitness – An independent review of the Veterans' Support Act 2014](#).

- remove unfair provisions of the Act.

### **Proposed amendments**

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss all minor, technical, or consequential amendments that are proposed.

#### **Requirement for Veterans' Affairs to respond to claims as soon as practicable**

Clause 9 of the bill would amend section 11 of the Act to require VANZ to respond to claims "as soon as practicable", rather than within 30 working days.

We are aware of the concern that removing the 30 working days timeframe could remove an important way for VANZ to be held accountable, and potentially lengthen what can already be a difficult process for veterans.

We note that this amendment was proposed to allow VANZ more time to respond to claims in situations where 30 working days may not be practicable. The nature of some claims, particularly complex claims or those where special medical input is required, means that more time may be needed to gather information in some situations. We consider that, on balance, expecting VANZ to respond to claims as soon as practicable would give them the necessary flexibility to deal appropriately with the wide variety of claims that they receive.

We recommend amending clause 9 of the bill. Our amendment would replace sections 11 to 13 with new sections 11 and 12. Section 12 of the Act states the requirement for VANZ to keep the veteran or claimant up to date on the progress of the claim and its subsequent decision. Section 13 of the Act provides that VANZ must inform the claimant of their right to apply for a review of any decisions VANZ makes regarding their claim.

Our new sections 11 and 12 would combine the provisions currently in sections 11 to 13 into two sections. This would better reflect the relationship between these three sections and make clear the requirement for VANZ to communicate with claimants throughout the process. Some of us believe these recommendations would alleviate some concerns regarding the removal of the 30 working days requirement.

National Party members would, however, have preferred that a specific timeframe remain in the legislation.

#### *Communicating information to the claimant*

We recommend that clause 9 be amended to ensure that veterans are informed, when notified of a decision on a claim, about which provisions of the Act would apply should a decision be reviewed, or appealed under section 175(1). We believe this would help to provide guidance to claimants requesting a review of the assessment of their claim.

Within our new section 11, we recommend including a requirement for VANZ to respond to claimants within 7 working days, to confirm that the claim has been

received. We consider this would help to ensure that there is communication at multiple points throughout the claims process.

### **Entitlements whilst imprisoned**

Clause 12 would replace section 29 of the Act, which deals with the suspension of entitlements for imprisoned veterans and other claimants. The new section 29 would enable VANZ to continue to fund treatment and rehabilitation services for imprisoned veterans if they have been receiving those treatments or services before they entered prison. It would also provide that entitlements of other claimants (such as spouses or children) would not be affected by the imprisonment of the veteran. Currently, the Act prohibits VANZ from continuing to provide any entitlements, including treatment and rehabilitation to veterans in prison.

We are concerned about potential disruption to treatment or rehabilitation programmes for imprisoned veterans where funding has been suspended. We consider that VANZ should be able to continue funding treatment and rehabilitation of imprisoned veterans until such time as other arrangements can be made by the Department of Corrections.

We recommend amending proposed section 29(1)(a) to clarify that imprisoned veterans currently receiving entitlements from Veterans' Affairs would continue to receive entitlements to treatment and rehabilitation as specified in new section 29(1)(a). This would only apply to veterans who were provided with those entitlements prior to being imprisoned. We note that the intention for the proposed amendment enabling VANZ to fund treatment and rehabilitation services for prisoners is not to establish new services, but rather to enable continuation of them.

We also recommend amending proposed section 29 by inserting new subsection (2A) to clarify that VANZ will not provide, or continue to provide, any entitlements to any claimants who are imprisoned (other than the veteran).

### **Veterans' entitlements to childcare assistance**

Clause 32 of the bill relates to clause 66 in Schedule 2 of the Act, which details conditions for veterans' entitlement to childcare assistance. Clause 32(4) of the bill would amend Schedule 2 to insert clause 66(2A). This lists the circumstances that VANZ must have regard to in exercising its discretion to provide childcare payments following the death of a veteran.

We were concerned that the conditions listed in proposed clause 66(2A) might not capture the full range of circumstances that should be considered when making decisions about childcare assistance. We consider it important for VANZ to have flexibility to take all relevant matters into account when making decisions about the care of a veteran's child.

We recommend that new clause 66(2A) be amended to remove the words "including whether extended family is able to provide child care". Our amendment would allow VANZ more flexibility to consider all relevant family circumstances including, but not restricted to, where extended family is able to provide childcare.

## **Other issues raised by submitters**

### **Definition of a veteran**

Clause 5 of the bill proposes several changes and additions to the definitions in section 7 of the Act. They include the terms child, other claimants, veteran, counselling, guardian, home, long-term residential care, and whāngai.

We received a total of 28 submissions expressing concern that the proposed change to the definition of “veteran” would not include a wider range of New Zealand Defence Force personnel. The issues raised include the service that does not qualify for support under the Act currently. These issues are outside the scope of the bill that we are considering, so we could not make recommendations in relation to these concerns. We acknowledge that this is a significant policy issue and officials have work under way on matters around this issue. We are pleased to note that this work is being done.

### **Further review of the Act**

Clause 8 of the bill proposes an amendment to section 10 of the Act, which relates to the principles under which Veterans' Affairs must exercise its functions and powers. It would extend the principle of fair entitlement to claimants other than the veteran.

Some submitters proposed the addition of a further principle that would require the Act to be reviewed after five years. We do not consider this necessary, as we note that the Act continues to be reviewed as part of the policy process. Work is continuing on the more complex issues arising from the Paterson Report, and more changes to the Act are likely to be proposed as a result.

## **Appendix**

### **Committee process**

The Veterans' Support Amendment Bill (No 2) was referred to the committee on 27 May 2020. The closing date for submissions was 16 June 2020. We received and considered 56 submissions from interested groups and individuals. We heard oral evidence from twelve submitters at hearings in Wellington and by video link.

We received advice from Veterans' Affairs New Zealand.

### **Committee membership**

Gareth Hughes (Chairperson)

Darroch Ball

Anahila Kanongata'a-Suisuiki

Agnes Loheni

Hon Tim Macindoe

Hon Alfred Ngaro

Priyanca Radhakrishnan

Hon Louise Upston

Angie Warren-Clark

Chris Penk participated in our consideration of this bill.



**Key to symbols used in reprinted bill**

**As reported from a select committee**

text inserted unanimously

~~text deleted unanimously~~





*Hon Ron Mark*

## **Veterans' Support Amendment Bill (No 2)**

Government Bill

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Veterans' Support Amendment Act (No 2) **2020**.

**2 Commencement**

This Act comes into force on **1 October 2020**.

**3 Principal Act**

This Act amends the Veterans' Support Act 2014 (the **principal Act**).

**Part 1**

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**Amendments to purpose, interpretation, and related provisions****4 Section 3 amended (Purpose)**

Replace section 3(1)(c) with:

- (c) entitlements and support for eligible spouses, partners, children, and dependants of veterans with service-related injuries or illnesses and for other persons who provide non-professional support to those veterans. 10

**5 Section 7 amended (Interpretation)**

- (1) In section 7, definition of **child**, replace paragraph (b) with:

- (b) includes— 15
- (i) an adopted child of the veteran; and
  - (ii) a child of whom the veteran is or has been a guardian; and
  - (iii) a grandchild or a whāngai of the veteran in relation to whom the veteran acts or has acted as a parent or a guardian; and

- (2) In section 7, definition of **child**,—

- (a) paragraph (c)(i), replace “was” with “has been”; and 20
- (b) paragraph (c)(ii), replace “acted” with “acts or has acted”.

- (3) In section 7, replace the definition of **other claimants** with:

- other claimants** means—
- (a) persons who have served as members of the armed forces before 1 April 1974 and whose injury or illness was caused by, contributed to by, or aggravated by routine service in New Zealand or overseas; and 25
  - (b) spouses or partners of veterans; and
  - (c) children of veterans; and
  - (d) dependants of veterans; and
  - (e) persons (other than the spouse or partner, or a child or dependant, of the veteran) who provide non-professional support to veterans for the purposes of section 107 30

- (4) In section 7, definition of **veteran**, after paragraph (a), insert:

- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or 35

- (5) In section 7, insert in their appropriate alphabetical order:

**counselling** means counselling that is provided by—

- (a) ~~provided by~~ a health practitioner under the Health Practitioners Competence Assurance Act 2003 and that is within the practitioner's scope of practice under that Act; or 5
- (b) ~~provided by~~ a person who is recognised by the Accident Compensation Corporation as a counsellor for the purposes of the Accident Compensation Act 2001

**guardian** has the same meaning as in section 15 of the Care of Children Act 2004 10

**home**—

- (a) means residential premises in which the veteran lives and that are owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and
- (b) includes residential premises in which the veteran proposes to live after they are built and that will be owned, rented, or otherwise lawfully occupied by the veteran or the veteran's parent, guardian, spouse, or partner; and 15
- (c) includes any other premises in which the veteran lives and for which the veteran is solely responsible for home maintenance; but 20
- (d) does not include any hotel or motel, or any hospital, hostel, rest home, or other institution

**long-term residential care** has the same meaning as in section 11 of the Residential Care and Disability Support Services Act 2018

**whāngai** means a child adopted by the veteran in accordance with Māori custom 25

## 6 Section 8 replaced (Meaning of different types of service)

Replace section 8 with:

### 8 Meanings of different types of service

- (1) This section defines the different types of service referred to in this Act. 30

- (2) In this Act, unless the context otherwise requires,—

**qualifying operational service** means—

- (a) service on any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9 35

**qualifying routine service** means service in the armed forces before 1 April 1974 that is not qualifying operational service

**qualifying service** means—

- (a) qualifying operational service; or
- (b) qualifying routine service.

**7 Section 9 amended (Declarations that deployments are operational service)**

(1) In section 9(3), (5), and (5C), delete “, by notice in the *Gazette*,”. 5

(2) After section 9(5E), insert:

(5F) VANZ must publish the making or amending of a declaration—

- (a) on an Internet site maintained by or on behalf of VANZ; and
- (b) in any other manner that VANZ thinks appropriate to bring the matter to the attention of claimants and the general public. 10

(5G) VANZ is not required to publish the making or amending of a declaration if satisfied that there are reasons of operational or national security not to publish.

**8 Section 10 amended (Functions to be performed and powers to be exercised in accordance with certain principles)**

Replace section 10(b)(i) with: 15

- (i) the principle of providing fair entitlements to veterans and other claimants:

**9 Section 11 amended (VANZ to perform functions and exercise powers on reasonable grounds and in a timely manner)**

Replace section 11(2) and (3) with: 20

(2) VANZ—

- (a) ~~is to be treated as responding to a claim in a timely manner if it makes a decision on the claim as soon as is reasonably practicable after receiving the claim; and~~

- (b) ~~may wait for a veteran, other claimant, or any other person to provide further information that VANZ requires to determine whether to accept the claim.~~ 25

**9 Sections 11 to 13 replaced**

Replace sections 11 to 13 with:

**11 Information to claimant** 30

(1) VANZ must keep a veteran or other claimant who makes a claim for an entitlement under this Act up to date on the progress of the claim.

(2) Without limiting **subsection (1)**, VANZ must,—

- (a) within 7 working days after receiving a claim, inform the veteran or other claimant that the claim has been received; and 35

- (b) notify the veteran or other claimant, in accordance with **subsection (3)**, of VANZ's decision on the claim.
- (3) Notification of a decision must—
- (aaa) be given as soon as practicable after VANZ makes the decision; and
- (a) be in writing; and 5
- (b) include the reason for the decision; and
- (c) inform the veteran or other claimant of—
- (i) their rights of review under subpart 2 of Part 7; and
- (ii) in the case of a claim for a veteran's pension, their right of appeal under section 175(1); and 10
- (d) be given in time to allow the veteran or other claimant to exercise those rights.
- 12 Performance of functions and exercise of powers**
- (1) VANZ must perform its functions and exercise its powers—
- (a) on reasonable grounds; and 15
- (b) in a timely manner.
- (2) In complying with **subsection (1)**, VANZ must have regard to the following:
- (a) the requirements of this Act;
- (b) the nature of the function or power;
- (c) all the circumstances. 20
- (3) Without limiting **subsection (1)(b)**, VANZ must ensure that a decision on a claim for an entitlement under this Act is made as soon as practicable after receiving the claim.

## Part 2

### Amendments to other provisions 25

#### 10 Section 27 amended (Responsibility of veteran or other claimant to assist in establishing and maintaining entitlements)

- (1) In section 27(1), after “A veteran”, insert “or other claimant”.
- (2) In section 27(1)(b), delete “veteran’s”.

#### 11 Section 28 amended (Circumstances that exclude or limit entitlements) 30

- (1) After section 28(1), insert:
- (1A) Despite subsection (1), VANZ may provide entitlements that would otherwise be excluded by subsection (1)(a) or (b) if VANZ is satisfied on reasonable grounds that, in the circumstances, the exclusion would be unfair to the veteran

(for example, because the desertion or absence without leave was brief or the offence was minor in nature).

(2) In section 28(2), replace “subsection (1)(c) and (d)” with “subsection (1)(c) or (d)”.

(3) After section 28(2)(a), insert: 5

(~~aba~~) the injury or illness is itself a psychological condition (for example, alcohol use disorder) that was attributed to or aggravated by the experiences of the veteran during qualifying operational service; or

## 12 Section 29 replaced (Disentitlement during imprisonment)

Replace section 29 with: 10

### 29 Limited entitlements during imprisonment of veteran

(1) While a veteran is a prisoner in any prison, VANZ—

(a) ~~may provide entitlements continue to provide to the veteran entitlements under subparts 2 and 3 of Part 5 that were being provided to the veteran before the veteran became a prisoner; but~~ 15

(b) must not provide any other entitlements under Parts 3, 4, and 5 to the veteran.

(2) Entitlements of other claimants are not affected by the imprisonment of the veteran.

(2A) While a claimant other than the veteran is a prisoner in any prison, VANZ must not provide, or continue to provide, any entitlements under Part 3, 4, or 5 to the claimant. 20

(3) In this section,—

**prison**—

(a) ~~has the same meaning as in section 3(1) of the Corrections Act 2004; and~~ 25

(b) includes—

(i) ~~a service prison within the meaning of section 2(1) of the Armed Forces Discipline Act 1971; and~~

(ii) ~~an overseas prison~~ 30

**prison means**—

(a) a prison within the meaning of section 3(1) of the Corrections Act 2004;  
or

(b) a service prison within the meaning of section 2(1) of the Armed Forces Discipline Act 1971; or 35

(c) an overseas prison

**prisoner** has the same meaning as in section 3(1) of the Corrections Act 2004.

**13 Section 31 amended (Indexation of certain entitlements in relation to New Zealand Consumers Price Index)**

Replace section 31(1)(j) and (k) with:

- (j) the maximum amount payable for funeral expenses for—
  - (i) a veteran who had undertaken qualifying operational service; or
  - (ii) a veteran whose death was a service-related death (section 153):
- (k) the maximum amount payable under Scheme One for funeral expenses for other veterans (section 154):

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**14 Section 66 replaced (Surviving spouse or partner pension)**

Replace section 66 with:

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**66 Surviving spouse or partner pension**

(1) A spouse or partner of a deceased veteran is entitled, in accordance with this section, to a surviving spouse or partner pension at a rate specified in regulations made under section 265.

(2) This section applies if—

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- (a) the veteran had undertaken qualifying operational service; or
- (b) the veteran's death was a service-related death; or
- (c) at the time of the veteran's death, the veteran was receiving—
  - (i) a permanent war disablement pension under Part 2 of the War Pensions Act 1954 in relation to disablement of 70% or more; or
  - (ii) a permanent disablement pension granted under subpart 3 in relation to whole-person impairment of 52% or more; or
- (d) VANZ considers that, had the veteran not died, the veteran would have been eligible to receive a pension specified in **paragraph (c)** (to the extent of impairment specified) had he or she applied for it immediately before his or her death.

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(3) This section does not apply if, immediately before the veteran's death,—

- (a) the veteran and the claimant were living apart or were not maintaining a relationship in the nature of marriage; and
- (b) the claimant was not contributing to the veteran's day-to-day welfare.

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(4) Despite **subsection (3)**, this section applies if the circumstances described in that subsection occurred principally because of the health, imprisonment, or employment obligations of the veteran or the claimant.

**15 Section 81 amended (Entitlement to children's bursary)**

(1) Replace section 81(1)(b) with:

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- (b) full-time or part-time study with a tertiary education provider or an industry training organisation; or



- (c) if the child resides overseas, study overseas that is equivalent to the study described in **paragraph (a) or (b)**.
- (2) Replace section 81(5) with:
- (5) In this section,—
- industry training organisation** has the same meaning as in section 2 of the Industry Training and Apprenticeships Act 1992 5
- secondary school** has the same meaning as in section 145(1) of the Education Act 1989
- tertiary education provider** has the same meaning as in section 159(1) of the Education Act 1989. 10
- 16 New section 101A inserted (Entitlement to compensation ceases 28 days after veteran's death)**
- After section 101, insert:
- 101A Entitlement to compensation ceases 28 days after veteran's death**
- When a veteran who is receiving weekly compensation dies, the entitlement to the compensation ceases at the end of the 28th day after the date on which the veteran dies. 15
- 17 Section 107 amended (Treatment)**
- (1) After section 107(1), insert:
- (1A) In addition, VANZ is responsible for paying or contributing towards paying the cost of treatment in the form of counselling for— 20
- (a) the spouse or partner or any child or dependant of ~~a~~the veteran; or
- (b) a person (other than ~~a~~the veteran's spouse, partner, child, or dependant) who provides non-professional support to ~~a~~the veteran.
- (1B) VANZ must pay or contribute under **subsection (1A)** if VANZ is satisfied that— 25
- (a) the veteran has an injury or illness that is service-related; and
- (b) a need for counselling arises from that injury or illness.
- (2) In section 107(2)(a) and (c), delete "veteran's".
- 18 Section 108 amended (Extent to which VANZ responsible for paying or contributing to cost of treatment)** 30
- After section 108(2), insert:
- (3) In addition, in making a decision about a claim for payment or a contribution under **section 107(1A)**, VANZ must also take into account whether the claimant has a need for counselling arising from the veteran's injury or illness. 35

**19 New section 108A inserted (Urgent treatment of mental injury or illness)**

After section 108, insert:

**108A Urgent treatment of mental injury or illness**

- (1) This section applies if—
- (a) an application has been made for payment or contribution towards payment of the costs of treatment of a veteran's injury or illness under this subpart, ~~including treatment for mental injury or illness~~; and 5
  - (aa) the treatment is or includes treatment for mental injury or illness; and
  - (b) VANZ has not completed its consideration of the application; and
  - (c) VANZ is satisfied that a delay in the provision of treatment for the mental injury or illness until the application is decided may have an adverse effect on the veteran. 10
- (2) Despite not having completed its consideration of the application, VANZ may pay or contribute towards paying the cost of treatment for the mental injury or illness. 15
- (3) Before deciding what treatment it will pay for or contribute towards paying for, VANZ must take into account the matters specified in section 108(2) (and, when applicable, **section 108(3)**).

**20 Section 110 amended (Application for additional treatment)**

- (1) Replace section 110(1) with: 20
- (1) This section applies if VANZ is paying or contributing towards paying the cost of treatment under this subpart.
- (2) In section 110(2), replace “veteran”, with “person receiving the treatment”.

**21 Section 118 amended (Assessment of needs and content of individual rehabilitation plan)**

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After section 118(2)(a), insert:

- (aa) identify any support given to the veteran by the veteran's spouse or partner, any child or dependant of the veteran, or any other person who provides non-professional support to the veteran, and the needs of any of those persons in relation to the support they give; and 30

**22 Section 139 amended (Purpose of programme)**

Repeal section 139(2).

**23 Section 143 amended (Surviving spouse or partner)**

~~After section 143(4), insert~~ Replace section 143(3) and (4) with:

- (~~5~~3) Subsection (~~4~~2) does not apply to a spouse or partner who is receiving services and support under **section 143A**. 35

**24 New section 143A inserted (Spouse or partner of veteran in long-term residential care)**

After section 143, insert:

**143A Spouse or partner of veteran in long-term residential care**

- |     |  |    |
|-----|--|----|
| (1) | This section applies to the spouse or partner of a veteran who—  | 5  |
| (a) | is receiving or is entitled to services and support under the programme;<br>and  |    |
| (b) | goes into long-term residential care.  |    |
| (2) | The veteran's spouse or partner is entitled to services and support under the programme, to the same extent as the veteran was entitled, for 12 months after the veteran goes into long-term residential care. | 10 |
| (3) | The veteran's spouse or partner continues to be entitled to services and support under <b>subsection (2)</b> if the veteran dies within 12 months after going into long-term residential care.                 |    |

**25 Section 152 replaced (Application)**

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Replace section 152 with:

**152 Application**

- |     |  |    |
|-----|--|----|
| (1) | Section 153 applies in relation to the death of a veteran if—                  |    |
| (a) | the veteran had undertaken qualifying operational service; or                  |    |
| (b) | the veteran's death was a service-related death.                               | 20 |
| (2) | Section 154 applies to the death of other veterans ( <u>Scheme One only</u> ). |    |

**26 Section 153 amended (Funeral expenses if death due to qualifying service)**

Replace the heading to section 153 with “**Funeral expenses: veterans with qualifying operational service or service-related death**”.

**27 Section 154 amended (Funeral expenses if death not due to qualifying service)**

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- |     |   |    |
|-----|---|----|
| (1) | Replace the heading to section 154 with “ <b>Funeral expenses: other deceased veterans (Scheme One only)</b> ”.               |    |
| (2) | In section 154(1), replace “whose death is not attributable to qualifying service” with “to whom section 153 does not apply”. | 30 |
| (3) | Repeal section 154(2)(a)(ii) and (b)(ii).   |    |

**28 Section 170 amended (Annual adjustment of rates of veteran's pension)**

- |     |  |  |
|-----|--|--|
| (1) | In section 170(1), replace “regulations made under section 265” with “a notice published by VANZ in accordance with this section”. |  |
|-----|--|--|

- (2) In section 170(7), replace “Any regulations made in accordance with subsection (1)” with “For the purposes of subsection (1), the notice”.
- (3) ~~After~~ Replace section 170(7)(c); ~~insert~~ with:
- (c) comes into force, or is to be treated as having come into force, on 1 April of the calendar year in which it is made, and applies to veterans’ pensions on and after that date: 5
- (d) must be published—
- (i) on an Internet site maintained by or on behalf of VANZ; and
- (ii) in any other manner that VANZ thinks appropriate to bring the adjustments to the attention of claimants and the general public. 10
- 29 Section 173 amended (Entitlement to veteran’s pension for spouses or partners of persons in long-term residential care in hospital or rest home)**
- (1) In the heading to section 173, delete “in hospital or rest home”.
- (2) In section 173(1)(a), delete “in a hospital or rest home”.
- 30 Section 205 amended (VANZ may reconsider decision)** 15
- (1) In section 205(2), replace “Subsection (3)” with “This section”.
- (2) In section 205(3), before “VANZ may reconsider”, insert “Without limiting subsection (1),”.
- (3) After section 205(3)(c), insert:
- (d) VANZ receives new information and, if that information had been received before the decision was made, it would have materially affected the decision. 20
- 31 Section 265 amended (Regulations)**
- Repeal section 265(1)(29).
- 32 Schedule 2 amended** 25
- (1) In Schedule 2, clause 7, repeal the definition of **home**.
- (2) In Schedule 2, replace clause 66(2)(a) with:
- (a) a date determined by VANZ, at its discretion, having regard to the matters set out in **subclause (2A)**; and
- (3) In Schedule 2, clause 66(2)(b), replace “on the date” with “the date”. 30
- (4) In Schedule 2, after clause 66(2), insert:
- (2A) For the purposes of **subclause (2)(a)**, VANZ must have regard to—
- (a) whether the surviving parent or carer of the veteran’s child is employed; and
- (b) whether the surviving parent or carer of the child has a new spouse or partner; and 35

- (c) the number of the veteran's children; and
- (d) where the child or children live, including the accessibility of organised child care; and
- (e) other relevant circumstances of the family, ~~including whether extended family is able to provide child care.~~

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(5) In Schedule 2, repeal clause 66(4) and (5).

### Legislative history

20 March 2020

27 May 2020

Introduction (Bill 232-1)

First reading and referral to Social Services and Community Committee