



Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions) Act 2007

No. 167, 2007

**An Act to amend the *Veterans' Entitlements Act
1986*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedule(s).....	2
Schedule 1—Veterans’ Entitlements Act 1986		3



Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions) Act 2007

No. 167, 2007

An Act to amend the *Veterans' Entitlements Act 1986*, and for related purposes

[Assented to 25 September 2007]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Veterans' Entitlements Amendment
(Disability, War Widow and War Widower Pensions) Act 2007*.

*Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions) Act
2007 No. 167, 2007 1*

2 Commencement

This Act commences on 20 March 2008.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Veterans' Entitlements Act 1986

1 Subsection 22(3)

Omit "\$216.90", substitute "\$338.94".

Note: The figure \$338.94 will be affected by indexation under section 198 of the *Veterans' Entitlements Act 1986* (as amended by this Act) on and after 20 March 2008.

2 Subsection 22(4)

Omit "\$433.65", substitute "\$510.40".

Note: The figure \$510.40 will be affected by indexation under section 198 of the *Veterans' Entitlements Act 1986* (as amended by this Act) on and after 20 March 2008.

3 Paragraph 30(1)(b)

Omit "\$25", substitute "\$35".

Note: The figure \$35 will be affected by indexation under section 198 of the *Veterans' Entitlements Act 1986* (as amended by this Act) on and after 20 March 2008.

4 Subsection 198(1)

Insert:

adjustment day means 20 September or 20 March.

5 Subsection 198(1)

Insert:

pension MBR factor means the pension MBR factor worked out under section 59LA.

6 Subsection 198(1) (paragraph (a) of the definition of *relevant rate*)

Repeal the paragraph.

7 After subsection 198(5D)

Insert:

Indexation of general rate

(5DA) This Act has effect as if, on each adjustment day, there were substituted, for the general rate, the rate worked out using the following formula and rounded up to the nearest \$0.10:

$$\text{General rate on the day before the adjustment day} \times \text{Pension MBR factor for the adjustment day}$$

Note 1: The following heading to subsection 198(1) is inserted "*Definitions*".

Note 2: The following heading to subsection 198(2) is inserted "*Changes in index numbers*".

Note 3: The following heading to subsection 198(4) is inserted "*Indexation of each relevant rate*".

Note 4: The following heading to subsection 198(5A) is inserted "*Indexation in 1990 of rate in paragraph 30(1)(a)*".

Note 5: The following heading to subsection 198(5E) is inserted "*Indexation of each above general rate*".

Note 6: The following heading to subsection 198(6) is inserted "*Extra increase in rate in paragraph 30(1)(a)*".

8 Subsection 198(5E)

Omit "the first day (the *adjustment day*) of each relevant period", substitute "each adjustment day".

9 Subsection 198(5E) (method statement, step 5)

Omit "specified in section 59LA".

10 After subsection 198(8)

Insert:

Indexation of rate in paragraph 30(1)(b)

(8A) This Act has effect as if, on each adjustment day, there were substituted, for the rate in paragraph 30(1)(b), the rate worked out using the following formula and rounded up to the nearest \$0.10:

$$\text{Rate in paragraph 30(1)(b) on the day before the adjustment day} \times \text{Pension MBR factor for the adjustment day}$$

Note: The following heading to subsection 198(10) is inserted "*Effect of indexation*".

11 Application and transitional provisions

Application

- (1) The amendments of the *Veterans' Entitlements Act 1986* made by this Act apply on and after the commencement of this Act.

Transitional—adjustment day that is 20 March 2008

- (2) Subsection 198(5DA) of the *Veterans' Entitlements Act 1986* (as amended by this Act) operates in relation to the adjustment day that is 20 March 2008 as if the general rate on the day before the adjustment day were \$338.94 per fortnight.
- (3) Subsection 198(5E) of the *Veterans' Entitlements Act 1986* operates in relation to the adjustment day that is 20 March 2008 as if:
- (a) the general rate on that day were that rate as affected by subsection 198(5DA) of that Act (as amended by this Act); and
 - (b) for the above general rate specified in paragraph (a) of the definition of **above general rate** in subsection 198(1) of that Act, the result of step 4 of the method statement in subsection 198(5E) of that Act were increased by \$15.00.

Note: Paragraph (a) of the definition of **above general rate** in subsection 198(1) of the *Veterans' Entitlements Act 1986* deals with the rate set by subsection 22(4) of that Act.

- (4) Subsection 198(8A) of the *Veterans' Entitlements Act 1986* (as amended by this Act) operates in relation to the adjustment day that is 20 March 2008 as if the rate in paragraph 30(1)(b) on the day before the adjustment day were \$35 per fortnight.

*[Minister's second reading speech made in—
House of Representatives on 20 September 2007
Senate on 20 September 2007]*

(191/07)

6 *Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions)*
Act 2007 No. 167, 2007