



Military Rehabilitation and Compensation and Other Legislation Amendment (Incapacity Payments) Act 2022

No. 41, 2022

**An Act to amend the law relating to military
rehabilitation and compensation, and for related
purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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**An Act to amend the law relating to military
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purposes**

[Assented to 7 October 2022]

The Parliament of Australia enacts:

No. 41, 2022

*Military Rehabilitation and Compensation and Other Legislation
Amendment (Incapacity Payments) Act 2022*

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1 Short title

This Act is the *Military Rehabilitation and Compensation and Other Legislation Amendment (Incapacity Payments) Act 2022*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|--------------------------|---|----------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Act | The day this Act receives the Royal Assent. | 7 October 2022 |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Military Rehabilitation and Compensation Act 2004

1 Subsection 131(3)

Omit “2022”, substitute “2023”.

2 Application and transitional provisions

- (1) Subject to this item, the amendment made by item 1 of this Schedule applies in relation to working out amounts of compensation payable to a person for a week starting on or after the commencement of this item.
- (2) If an amount of compensation liable to be paid to a person for a week under the *Military Rehabilitation and Compensation Act 2004*, as in force immediately before the commencement of this item, is less than the amount that would have been payable to the person had the amendment made by item 1 been in force at that time, the Commonwealth is liable to pay to the person an amount equal to the difference between those 2 amounts.
- (3) Payments of amounts under subitem (2) are taken, for the purposes of paragraph 423(a) of the *Military Rehabilitation and Compensation Act 2004*, to be payments of compensation under that Act.

Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988

3 Subsection 19(3AA)

Omit “2022”, substitute “2023”.

4 Application and transitional provisions

- (1) Subject to this item, the amendment made by item 3 of this Schedule applies in relation to working out amounts of compensation payable to a person for a week starting on or after the commencement of this item.
- (2) If an amount of compensation liable to be paid to a person for a week under the *Safety, Rehabilitation and Compensation (Defence-related*

