



# **Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) (Modifications of the Repatriation Pharmaceutical Benefits Scheme) Instrument 2017**

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The Repatriation Commission prepares the following instrument.

Dated 8 June 2017

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

Simon Lewis  
President

Craig Orme  
DSC AM CSC  
Deputy President

Major General Mark Kelly  
AO DSC  
Commissioner

Approved on 23 June 2017

Dan Tehan  
Minister for Veterans' Affairs

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## Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedule 1—Modifications of the <i>Repatriation Pharmaceutical Benefits Scheme</i> .....	1
5	Schedule 2—Repeals .....	1
	<b>Schedule 1—Modifications of the Repatriation Pharmaceutical Benefits Scheme</b>	2
	<i>Repatriation Pharmaceutical Benefits Scheme</i>	2
	<b>Schedule 2—Repeals</b>	5
	<i>Repatriation Pharmaceutical Benefits Scheme (Australian Participants in British Nuclear Tests) 2006</i>	5



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## 1 Name

This instrument is the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) (Modifications of the Repatriation Pharmaceutical Benefits Scheme) Instrument 2017*.

## 2 Commencement

- (1) Each provision of this instrument 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 instrument	1 July 2017.	1 July 2017

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

This instrument is made under section 18 of the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006*.

## 4 Schedule 1—Modifications of the *Repatriation Pharmaceutical Benefits Scheme*

The *Repatriation Pharmaceutical Benefits Scheme* is modified as set out in Schedule 1 to this instrument for the purposes of the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006*.

## 5 Schedule 2—Repeals

Each instrument that is specified in Schedule 2 to this instrument is repealed as set out in the applicable item in that Schedule, and any other item in that Schedule has effect according to its terms.

## Schedule 1—Modifications of the Repatriation Pharmaceutical Benefits Scheme

### *Repatriation Pharmaceutical Benefits Scheme*

#### 1 Sections 1A to 2

Omit the sections, substitute:

##### 1 Name

This instrument is the *Scheme*.

##### 2 Authorisation of Scheme

The *Scheme* is authorised by section 18 of the *Act*.

##### 2A Purpose of Scheme

The *Scheme* enables *Community Pharmacists* to supply *Pharmaceutical benefits* to *Eligible Persons*.

##### 2B Transitional provision

If:

(a) a thing was started under the *Repatriation Pharmaceutical Benefits Scheme (Australian Participants in British Nuclear Tests) 2006* (No. R45/2013) before 1 July 2017; and

(b) immediately before that day, the thing has not been finished;

then, the thing may be finished under this *Scheme* on or after that day as if it had been started under this *Scheme*.

##### 2 Section 3 (definition of Act)

Omit the definition, substitute:

*Act* means the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006*;

##### 3 Section 3 (definition of accepted disability)

Omit the definition.

##### 4 Section 3 (definition of Eligible Person)

Omit the definition, substitute:

*Eligible Person* means an eligible person within the meaning of the *Act*;

##### 5 Section 3

Omit the following definitions:

(a) definition of *income support payment*”;

(b) definition of *income support payment under the Social Security Act 1991*;

- (c) definition of *MRCA supplement*;
- (d) definition of *pension supplement*;
- (e) definition of *pharmaceutical allowance*;
- (f) definition of *pharmaceutical reimbursement*.

## **6 Section 3 (definition of Repatriation Health Card - For All Conditions)**

Omit the definition, substitute:

*Repatriation Health Card - For All Conditions* means an identification card, or written authorisation, provided to an *Eligible Person* in relation to treatment for all injuries or diseases;

## **7 Section 3**

Omit the following definitions:

- (a) definition of *Repatriation Health Card - For Specific Conditions*;
- (b) definition of *Repatriation Pharmaceutical Benefits Card*;
- (c) definition of *revoked scheme*;
- (d) definition of *RPBS*.

## **8 Section 3 (definition of Scheme)**

Omit the definition, substitute:

*Scheme* means the *Repatriation Pharmaceutical Benefits Scheme* as modified by the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) (Modifications of the Repatriation Pharmaceutical Benefits Scheme) Instrument 2017*;

## **9 Section 3**

Omit the following definitions:

- (a) definition of *social security pension supplement*;
- (b) definition of *SRCA disability*.

## **10 Section 3 (definition of Treatment Principles)**

Omit the definition, substitute:

*Treatment Principles* means the Treatment Principles as modified by the *Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) (Modifications of the Treatment Principles) Instrument 2013*;

## **11 Section 3**

Omit the following definitions:

- (a) definition of *veterans supplement*;
- (b) definition of *war widow/war widower pension*;
- (c) definition of *war-caused or defence-caused injuries or diseases*.

## **12 Section 16 (note)**

Omit “the RPBS” (wherever occurring), substitute “the *Scheme*”.

**13 Subsection 16A(9)**

Omit “the Act”, substitute “the *National Health Act 1953*”.

**14 Section 17**

Omit “RPBS listed”, substitute “*RPBS Schedule* listed”.

**15 Paragraph 18(a)**

Omit “, a *Repatriation Health Card - For Specific Conditions* or a *Repatriation Pharmaceutical Benefits Card*”.

**16 Paragraph 18(b)**

Omit “, a *Repatriation Health Card - For Specific Conditions* or a *Repatriation Pharmaceutical Benefits Card*”.

**17 Section 21 (note 1)**

Omit “Note 1”, substitute “Note”.

**18 Section 21 (note 2)**

Omit the note.

**19 Section 23 (heading)**

Omit the heading, substitute:

**23 Expenses incurred in obtaining Pharmaceutical Benefits while not in receipt of a pharmaceutical supplement**

**20 Subsection 23(1)**

Omit “allowance under paragraph 118A(1)(c) of the *Veterans’ Entitlements Act 1986*”, substitute “supplement under section 23B of the *Act*”.

**21 Paragraph 23(1)(a)**

Omit “allowance”, substitute “supplement”.

**22 Paragraph 23(1)(b)**

Omit “and after 30 June 1992”.

**23 Paragraph 23(1)(c)**

Omit “allowance”, substitute “supplement”.

**24 Subsection 23(1)**

Omit “of pharmaceutical allowance”, substitute “of pharmaceutical supplement”.

**25 Subsection 23(1)**

Omit “of the allowance”, substitute “of the supplement”.

**26 Part 5A**

Omit the Part.



## **Schedule 2—Repeals**

### ***Repatriation Pharmaceutical Benefits Scheme (Australian Participants in British Nuclear Tests) 2006***

#### **1 The whole of the instrument**

Repeal the instrument.