

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

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 | Craig Orme | Major General Mark Kelly |
| President | DSC AM CSC | AO DSC |
|  | Deputy President | Commissioner |

Approved on 23 June 2017

Dan Tehan

Minister for Veterans’ Affairs

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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Note: This table relates only to the provisions of this instrument as originally made.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 Each instrument that is specified in Schedule 2 to this instrument is repealed as set out in the applicable item in that Schedule, and any other item in that Schedule has effect according to its terms.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.