



Veterans' Entitlements Act 1986

Veterans' Entitlements (Exempt Lump Sum – Defence Reparation Payment) Determination 2018

Instrument 2018 No. R35

I, MARK HARRIGAN, delegate of the Repatriation Commission, make the following determination for paragraph 5H(12)(c) of the *Veterans' Entitlements Act 1986*.

Dated this 19th day of February 2018

M Harrigan

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MARK HARRIGAN

1 Name

This determination is the *Veterans' Entitlements (Exempt Lump Sum – Defence Reparation Payment) Determination 2018*.

2 Commencement

This determination is taken to have commenced on 1 February 2018.

3 Authority

This determination is made under paragraph 5H(12)(c) of the *Veterans' Entitlements Act 1986*.

4 Definitions

In this determination:

“defence reparation payment” means a one-off payment made to a person by the Australian Defence Force on behalf of the Australian Government under the *Defence Reparation Scheme*;

“income support supplement” means the payment called the income support supplement payable under Part IIIA of the *Veterans' Entitlements Act 1986*;

“service pension” has the same meaning as it has in subsection 5Q(1) of the *Veterans' Entitlements Act 1986*;

“Defence Reparation Scheme” means the scheme that come into effect on 16 December 2017 and is administered by the Defence Force Ombudsman for the purpose of making reparation payments to members or former members of the Defence Force who have suffered the most serious forms of abuse or sexual assault where the abuse or assault occurred on or before 30 June 2014.

5 Exempt lump sum

If a person or a person's partner receives a *defence reparation payment* and the person is eligible for, or in receipt of a *service pension* or *income support supplement*, then the amount of the *defence reparation payment* received by the person or the person's partner is an exempt lump sum.