



Repatriation Commission

Veterans' Entitlements (Top Up of Pension Bonus in Specified Circumstances) Instrument 2018

Instrument 2018 No. R3

The Repatriation Commission, under subsection 45UIC(6) of the *Veterans' Entitlements Act 1986* (the Act) makes the following instrument.

Dated this 1 of March 2018

The Seal of the
Repatriation Commission
was affixed hereto in the
presence of:)
) SEAL
)
)

Simon Lewis
SIMON LEWIS
PSM
PRESIDENT

Craig Orme
CRAIG ORME
DSC AM CSC
DEPUTY PRESIDENT

MA Kelly
MAJOR GENERAL MARK KELLY
AO DSC
COMMISSIONER

1 Name

This determination is the *Veterans' Entitlements (Top Up of Pension Bonus in Specified Circumstances) Instrument 2018*.

2 Commencement

This instrument commences on the day after this instrument is registered.

3 Authority

This instrument is made under subsection 45UIC(6) of the *Veterans' Entitlements Act 1986*.

4 Revocation

The *Veterans' Entitlements (Top up of Pension Bonus – Specified Circumstances) Determination 2007* dated 21 December 2007 is revoked.

5 Definitions

In this instrument:

Act means the *Veterans' Entitlements Act 1986*.

designated pension has the same meaning as it has in section 45TA of the Act.

6 Specified circumstances

For paragraph 45UIC(1)(b) of the *Act*, a specified circumstance is that:

- (a) the Commission makes a determination under paragraph 45UIC(1)(a) of the *Act* because of a reduction, since the date on which a determination granting a pension bonus to the person takes effect (the effective day), in either or both of the following:
 - (i) the value of the person's assets;
 - (ii) the person's ordinary income; and
- (b) the determination takes effect on a day that is more than 13 weeks after the effective day; and
- (c) the determination is made:

- (i) wholly or partly because an administrative error in determining the person's rate of a designated pension was made by the Secretary before the end of the 13 week period following the effective day; or
- (ii) because the person had given the Secretary, before the end of the 13 week period following the effective day, incorrect information about the value of the person's assets or the person's ordinary income.