



Military Rehabilitation and Compensation Commission

Safety, Rehabilitation and Compensation (Defence-related Claims) (Accelerated Access to Rehabilitation) Determination 2018

Instrument 2018 No. MRCC57

The Military Rehabilitation and Compensation Commission, under subsections 36(1B) and 37(1B) of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*, makes the following instrument.

Dated this 5th day of April 2018

The Seal of the
Military Rehabilitation and Compensation Commission) SEAL
was affixed hereto in the)
presence of:)

Simon Lewis
SIMON LEWIS
CHAIR

C Orme
CRAIG ORME
DSC AM CSC
MEMBER

M A Kelly
MAJOR GENERAL MARK KELLY
AO DSC
MEMBER

B S Wolski
REAR ADMIRAL BRETT WOLSKI
AM
MEMBER

Jennifer Taylor
JENNIFER TAYLOR
MEMBER

1 Name

This instrument is the *Safety, Rehabilitation and Compensation (Defence-related Claims) (Accelerated Access to Rehabilitation) Determination 2018*.

2 Commencement

This instrument commences, or is taken to have commenced, on 1 May 2018.

3 Authority

This instrument is made under subsections 36(1B) and 37(1B) of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*.

4 Purpose

The purpose of this instrument is to determine a class of persons who will be eligible (subject to further selection by the *Commission*) for early access to *rehabilitation services* during the period after the person has made a claim for compensation for an injury under Part V of the *Act* and before that claim has been determined.

Note: The Commission is empowered, under paragraph 36(1A)(d) of the Act to determine in writing that section 36 of the Act (Assessment of capability of undertaking rehabilitation program) applies to a person who falls within the class determined by this instrument, and, under paragraph 37(1A)(d) of the Act, to determine in writing that section 37 of the Act (Provision of rehabilitation programs) applies to a person who falls within the class determined by this instrument.

5 Definitions

In this instrument:

Act means the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*.

Commission means the Military Rehabilitation and Compensation Commission.

rehabilitation services means a rehabilitation program as defined in section 4 of the *Act*, or an assessment of a person's capability to undertake a rehabilitation program as described in section 36 of the *Act*.

veteran payment means a veteran payment made under an instrument made under section 45SB of the *Veterans' Entitlements Act 1986*.

Note: The following terms used in this instrument are defined in the Act:
rehabilitation program – see section 4.

6 Determined class of persons – veteran payment recipients

For the purposes of paragraph 36(1A)(c) and paragraph 37(1A)(c) of the *Act*, the following class of persons is determined:

A person who:

- (a) has made a claim under section 54 of the *Act*; and
- (b) is receiving a *veteran payment*.