



**Australian Government**

## **Veterans' Children Education Schemes (COVID-19 Supplement) Amendment Determination 2020**

Instrument No. R14/MRCC 14 of 2020

I, Darren Chester, Minister for Veterans' Affairs approve:

- (a) under subsection 117(9) of the *Veterans' Entitlements Act 1986*, the variations by the Repatriation Commission of the *Veterans' Children Education Scheme* in the following determination; and
- (b) under subsection 258(5) of the *Military Rehabilitation and Compensation Act 2004*, the variations by the Military Rehabilitation and Compensation Commission of the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* in the following determination.

Dated this 24th day of April 2020

**DARREN CHESTER**

The Repatriation Commission, under subsection 117(8) of the *Veterans' Entitlements Act 1986*, makes the variations to the *Veterans' Children Education Scheme* in the following determination.

Dated this 24th day of April 2020

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

...Elizabeth Cosson.....  
**ELIZABETH COSSON**  
AM CSC  
PRESIDENT

.....Charles McHardie.....  
**CHARLES McHARDIE**  
AM  
ACTING DEPUTY PRESIDENT

.....Don Spinks.....  
**DON SPINKS**  
AM  
COMMISSIONER

We, as delegates of the Military Rehabilitation and Compensation Commission, under subsection 258(4) of the *Military Rehabilitation and Compensation Act 2004*, makes the variations to the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* in the following determination.

Dated this 24<sup>th</sup> day of April 2020

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

.....Elizabeth Cosson.....	.....Charles McHardie.....	.....Don Spinks.....
<b>ELIZABETH COSSON</b>	<b>CHARLES McHARDIE</b>	<b>DON SPINKS</b>
<b>AM CSC</b>	<b>AM</b>	<b>AM</b>
<b>CHAIR</b>	<b>MEMBER</b>	<b>MEMBER</b>

## **1 Name**

This instrument is the *Veterans' Children Education Schemes (COVID-19 Supplement) Amendment Determination 2020*.

## **2 Commencement**

This instrument commences on the day on which Schedule 11 of the *Coronavirus Economic Response Package Omnibus Act 2020* commenced.

## **3 Authority**

This instrument is made under subsection 117(8) of the *Veterans' Entitlements Act 1986* and subsection 258(4) of the *Military Rehabilitation and Compensation Act 2004*.

## **4 Schedule**

The *Veterans' Children Education Scheme* (Instrument 2015 No. R43) and the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* are varied in accordance with the items in the Schedule.

# Schedule

## Variations to the *Veterans' Children Education Scheme* (Instrument 2015 No. R43)

### 1 Paragraph 1.2.1

*insert:*

“**COVID-19 supplement**” means the payment of that name payable under Part 3C.

“**extension period**” means the period of any extension of the period for which the COVID-19 supplement payable under section 557 of the *Social Security Act 1991* is extended by a legislative instrument made under subsection 557(3) of the *Social Security Act 1991*.

“**initial period**” means the period of 6 months beginning on the day on which Schedule 11 to the *Coronavirus Economic Response Package Omnibus Act 2020* commences (25 March 2020).

### 2 Part 3B

*after this Part insert:*

#### **PART 3C – COVID-19 SUPPLEMENT**

##### 3C.1 *Eligibility for COVID-19 supplement*

###### 3C.1.1 If a person:

- (a) has attained the age of 16 years and is receiving, an education allowance under paragraph 3.3, 3.4, 3.5, 3.6 or 3.6A of the *Scheme*, the fortnightly payment of education allowance is increased from 27 April 2020 by the amount of the *COVID-19 supplement*; or
- (b) has not attained the age of 16 years but is receiving, an education allowance under paragraph 3.4, 3.5, 3.6 or 3.6A of the *Scheme*, the fortnightly payment of education allowance is increased from 27 April 2020 by the amount of the *COVID-19 supplement*.

##### 3C.2 *COVID-19 supplement payment period*

###### 3C.2.1 This Part ceases to apply at the end of:

- (a) the *initial period*, unless paragraph (b) applies; or
- (b) the *extension period*.

##### 3C.3 *Amount of COVID-19 supplement*

###### 3C.3.1 For the period beginning on 27 April 2020 and ending at the end of the *initial period*, the fortnightly amount of the *COVID-19 supplement* is:

- (a) \$550, unless paragraph (b) applies; or
- (b) if the amount of the supplement is determined by a legislative instrument made under subsection 557(5) of the *Social Security Act 1991*—that amount.

3C.3.2 For any *extension period*, the amount of the *COVID-19 supplement* is to be worked out in accordance with a legislative instrument made under subsection 557(7) of the *Social Security Act 1991*.

3C.4 *Payment of the COVID-19 supplement*

3C.4.1 If a person is eligible for the *COVID-19 supplement* on a *payday* on or after 27 April 2020, the *Commission* must direct that the increased education allowance is payable to the person:

- (a) on the first *payday* that the *Commission* considers to be the earliest *payday* on which it is reasonably practicable for the supplement to be paid and subsequently on each *payday* the person is eligible for the supplement; and
- (b) in such manner as the *Commission* considers appropriate.

3C.4.2 Subject to paragraph 3C.4.3, payment of the *COVID-19 supplement* for a person who is eligible for the supplement (eligible person) is to be made to the person to whom the education allowance for the eligible person under Part 3 is payable.

Note: The person receiving the *COVID-19 supplement* for the eligible person could be the eligible person's parent, a person approved by the *Commission* or the eligible person.

3C.4.3 If the education allowance is payable to an institution or to a person providing board to the eligible person, the *COVID-19 supplement* is payable to the person to whom the education allowance for the eligible person would be payable if payment of the education allowance to an institution or to a person providing board to the eligible person was not an option.

# Variations to the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* (Instrument 2015 No. MRCC43)

## 3 Paragraph 1.2.1

*insert:*

“**COVID-19 supplement**” means the payment of that name payable under Part 3C.

“**extension period**” means the period of any extension of the period for which the COVID-19 supplement payable under section 557 of the *Social Security Act 1991* is extended by a legislative instrument made under subsection 557(3) of the *Social Security Act 1991*.

“**initial period**” means the period of 6 months beginning on the day on which Schedule 11 to the *Coronavirus Economic Response Package Omnibus Act 2020* commences (25 March 2020).

## 4 Part 3B

*after this Part insert:*

### **PART 3C – COVID-19 SUPPLEMENT**

#### 3C.1 *Eligibility for COVID-19 supplement*

##### 3C.1.1 If a person:

- (a) has attained the age of 16 years and is receiving, an education allowance under paragraph 3.3, 3.4, 3.5 or 3.6 of the *Scheme*, the fortnightly payment of education allowance is increased from 27 April 2020 by the amount of the *COVID-19 supplement*; or
- (b) has not attained the age of 16 years but is receiving, an education allowance under paragraph 3.4, 3.5 or 3.6 of the *Scheme*, the fortnightly payment of education allowance is increased from 27 April 2020 by the amount of the *COVID-19 supplement*.

#### 3C.2 *COVID-19 supplement payment period*

##### 3C.2.1 This Part ceases to apply at the end of:

- (a) the *initial period*, unless paragraph (b) applies; or
- (b) the *extension period*.

#### 3C.3 *Amount of COVID-19 supplement*

##### 3C.3.1 For the period beginning on 27 April 2020 and ending at the end of the *initial period*, the fortnightly amount of the *COVID-19 supplement* is:

- (a) \$550, unless paragraph (b) applies; or
- (b) if the amount of the supplement is determined by a legislative instrument made under subsection 557(5) of the *Social Security Act 1991*—that amount.

##### 3C.3.2 For any *extension period*, the amount of the *COVID-19 supplement* is to be worked out in accordance with a legislative instrument made under subsection 557(7) of the *Social Security Act 1991*.

3C.4 *Payment of the COVID-19 supplement*

3C.4.1 If a person is eligible for the *COVID-19 supplement* on a *payday* on or after 27 April 2020, the *Commission* must direct that the increased education allowance is payable to the person:

(a) on the first *payday* that the *Commission* considers to be the earliest *payday* on which it is reasonably practicable for the supplement to be paid and subsequently on each *payday* the person is eligible for the supplement; and

(b) in such manner as the *Commission* considers appropriate.

3C.4.2 Subject to paragraph 3C.4.3, payment of the *COVID-19 supplement* for a person who is eligible for the supplement (eligible person) is to be made to the person to whom the education allowance for the eligible person under Part 3 is payable.

Note: The person receiving the *COVID-19 supplement* for the eligible person could be the eligible person's parent, a person approved by the *Commission* or the eligible person.

3C.4.3 If the education allowance is payable to an institution or to a person providing board to the eligible person, the *COVID-19 supplement* is payable to the person to whom the education allowance for the eligible person would be payable if payment of the education allowance to an institution or to a person providing board to the eligible person was not an option.