



Veterans' Entitlements Act 1986

Veterans' Entitlements (Exempt Lump Sum – Payments of compensation by the Scottish Government from the Advance Payment Scheme) Determination 2021

Instrument 2021 No. R2

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

Dated this 3rd day of February 2021

Simon Hill
Simon Hill
Assistant Secretary,
Policy Development Branch

1 Name

This determination is the *Veterans' Entitlements (Exempt Lump Sum – Payments of compensation by the Scottish Government from the Advance Payment Scheme) Determination 2021*.

2 Commencement

This determination is taken to have commenced on 25 April 2019.

3 Authority

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

4 Definitions

In this determination:

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

“compensation payment from the Advance Payment Scheme on behalf of the Scottish Government” means a payment of compensation from the Advance Payment Scheme made by the Scottish Government to individuals who have suffered abuse as children while in care in Scotland prior to December 2004.

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

“veteran payment” means the payment called the veteran payment payable under an instrument made under section 45SB of the *Veterans' Entitlements Act 1986*.

5 Exempt lump sum

If:

- (a) a person or a person's partner receives a *compensation payment from the Advance Payment Scheme on behalf of the Scottish Government*; and
- (b) the person is eligible for, or in receipt of:
 - (i) an *income support supplement*; or
 - (ii) a *service pension*; or
 - (iii) a *veteran payment*;

then, the amount of the *compensation payment from the Advance Payment Scheme on behalf of the Scottish Government* received by the person or the person's partner is an exempt lump sum.