

**Military Rehabilitation and Compensation (Payment into Bank or Foreign Corporation Account) Instrument 2021**

*Military Rehabilitation and Compensation Act 2004*

Instrument 2021 No. MRCC20

The Military Rehabilitation and Compensation Commission, under subsection 430(3C) of the *Military Rehabilitation and Compensation Act 2004*, makes the following determination.

Dated 9th day of September 2021

The Seal of the )

Military Rehabilitation )

and Compensation Commission )

was affixed hereto in the )

presence of: )

……………..… Elizabeth Cosson………………………………………….Kate Pope………………………………………….……..……Donald Spinks…..…

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| --- | --- | --- |
| **ELIZABETH COSSON** | **KATE POPE** | **DONALD SPINKS** |
| **AM CSC** | **PSM** | **AM** |
| **Chair** | **Member** | **Member** |

………………………….…Gwen Cherne…………………………………………………………………………………………………………………Sue Weston..…..

|  |  |  |
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| **GWEN CHERNE** |  | **SUE WESTON** |
|  |  | **PSM** |
| **Member** |  | **Member** |

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1 Name

This instrument is the *Military Rehabilitation and Compensation (Payment into Bank or Foreign Corporation Account) Instrument 2021.*

2 Commencement

This Instrument commences, or is taken to have commenced, on the day after it is registered.

3 Authority

This instrument is made under subsections 430(3C) of the *Military Rehabilitation and Compensation Act 2004* (the Act).

4 Definitions

In this instrument:

***Act*** means the *Military Rehabilitation and Compensation Act 2004*.

5 Revocation

The *Military Rehabilitation and Compensation (Payment into Bank or Foreign Corporation Account) Specification 2011 (Instrument 2011 No. M7)* is revoked subject to the commencement of this Instrument.

6 Specification of Circumstances

(1) For the purposes of subsections 430(3A) of the *Act*, the circumstances in which a person’s compensation must be paid as a lump sum to the credit of an account come within one of the following categories:

1. permanent impairment compensation, including interest payable under subsections 79(1) and (2) of the *Act*;
2. permanent impairment compensation payable under section 80 of the *Act*;
3. incapacity compensation payment payable under section 138 of the *Act*;
4. compensation for a wholly dependent partner payable under paragraph 234(1)(a) or subparagraph 234(5) of the *Act;*
5. compensation payment for a wholly dependent partner under section 242 of the *Act*, the amount of which is specified under section 243 of the *Act;*
6. compensation for an eligible young person under section 251 of the *Act*, the amount of which is specified under section 252 of the *Act;*
7. compensation for an eligible young person under section 255 of the *Act*, the amount of which is specified under section 256 of the *Act;*
8. compensation for a dependant under section 262 of the *Act*, the amount of which is specified under section 263 of the *Act;*
9. funeral compensation under section 266 of the *Act* where the compensation is payable to a dependant of the deceased member, the amount of which is specified under section 267 of the *Act.*

Note: If a trustee of a person’s compensation under the Act has been appointed under subsection 432 of the Act, under section 433 of the Act the compensation is payable to the trustee.