



Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Amendment (2023 Expansion of Acute Support Package) Instrument 2023

The Repatriation Commission, under section 115S of the *Veterans' Entitlements Act 1986*, makes the following instrument.

Dated 30 June 2023

The Seal of the
Repatriation Commission
was affixed to this instrument
in the presence of:

Alison Frame
Chair

Kate Pope
PSM
Member

Donald Spinks
AM
Member

~~Gwen Cherne~~
Member

1 Name

This instrument is the *Veterans' Entitlements (Defence, Veterans' and Families' Acute Support Package) Amendment (2023 Expansion of Acute Support Package) Instrument 2023*.

2 Commencement

This instrument commences on 1 July 2023.

3 Authority

This instrument is made under section 115S of the *Veterans' Entitlements Act 1986*.

4 Schedule

The instrument that is specified in the Schedule to this instrument is amended as set out in the applicable items in the Schedule, and any item has effect according to its terms.

Schedule 1—Amendments

Veterans' Entitlements (Defence, Veterans and Families' Acute Support Package) Instrument 2022

1 Section 4

Repeal the section, substitute:

4 Simplified outline of this instrument

The Repatriation Commission may grant an acute support package to a person who is:

- (a) a veteran, war widow or war widower; or
- (b) a former partner of a veteran; or
- (c) a related person of a veteran; or
- (d) a parent or step-parent of;
 - (i) a deceased veteran; or
 - (ii) a war widow or war widower in relation to a deceased veteran; or
 - (iii) another person who was the partner of a deceased veteran;

if the person meets certain eligibility criteria and the Commission is satisfied that it is appropriate to grant the package to assist the person to adjust to new and challenging life circumstances (section 6).

The Commission must prepare a support plan for the person that outlines, among other things, the persons who will be provided with assistance or benefits under the support plan, the kinds of assistance or benefits that will be provided, and the periods during which the assistance or benefits will be provided (section 7). The support plan may be varied or revoked by the Commission in the circumstances outlined in section 8.

Under an acute support package, assistance or benefits may be provided in the circumstances outlined in section 9. Additional counselling (section 10) and additional assistance or benefits in relation to children attending, or not yet attending, primary school may also be provided to certain persons (section 11).

2 Section 5, after the definition of *deceased partner*

Insert:

related person: see subsection 155S(9) of the Act.

3 Subsection 6(1)

Omit “or (4)”, insert “, (4), (5) or (6)”.

4 At the end of subsection 6(4)

Add:

Related persons

- (5) A person is covered by this subsection if the following criteria are satisfied:
- (a) the person is a related person of the veteran;
 - (b) the veteran is under 65 years of age at the time the person’s eligibility for an acute support package is determined;
 - (c) the veteran is receiving, or is eligible to receive, a pension at a rate provided for by section 23, 24 or 25 of the Act or a veteran payment;
 - (d) the Commission is satisfied that the person is experiencing, or is at risk of experiencing, crisis;
 - (e) the Commission is satisfied that the crisis, or the risk of experiencing, crisis, is:
 - (i) impacting or involving the veteran; or
 - (ii) connected to the veteran’s wellbeing.

Parents or step-parents in relation to a deceased veteran, etc, who are parenting a child of the deceased veteran under 18 years

- (6) A person is covered by this subsection if the following criteria are satisfied:
- (a) the person is the parent or step-parent of a deceased veteran, or the parent or step-parent of a war widow or war widower in relation to a deceased veteran, or the parent or step-parent of another person who was the partner of a deceased veteran;
 - (b) the death of the deceased veteran occurred no more than 2 years ago, at the time that the person’s eligibility for acute support package is determined;
 - (c) either:
 - (i) the deceased veteran’s death was related to service rendered by the veteran; or
 - (ii) the Commission is satisfied that the deceased veteran’s death was a suicide related to service rendered by the veteran;
 - (c) the Commission is satisfied that the person is parenting a child of the deceased veteran;
 - (d) at the time that the person’s eligibility for acute support package is determined, the child is under 18 years;
 - (e) the Commission is satisfied that the person, or the child, is experiencing, or is at risk of experiencing, crisis.

5 Paragraph 7(3)(b)

Repeal the paragraph.

6 At the end of paragraph 7(3)(d)

Add:

or

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- (e) if the package has been granted to a person who is the parent or step-parent of a deceased veteran, or to a person who is the parent or step-parent of the war widow or war widower in relation to a deceased veteran, or a person who is the parent or step-parent of another person who was the partner of a deceased veteran; and
 - (i) the Commission is satisfied that the person is parenting a child of the deceased veteran who is under 18; and
 - (ii) the Commission is satisfied that the person, or the child, is experiencing, or is at risk of experiencing, crisis.

7 Paragraph 8(3)(a)

Repeal the paragraph, substitute:

- (a) either:
 - (i) if the support plan was prepared for a veteran—the Commission is satisfied that the veteran is no longer experiencing, or is no longer at risk of experiencing, crisis; or
 - (ii) if the support plan was prepared for a person mentioned in subsections 6(3) to (6)—the Commission is satisfied that the person is no longer experiencing, or is no longer at risk of experiencing, crisis; or

8 Paragraph 9(1)(a)

Omit “or former partner of a veteran”, substitute “, former partner of a veteran or a related person of a veteran”.

9 At the end of paragraph 9(1)(b)

Add:

and

- (c) for a support plan prepared for a person who is the parent or step-parent of a deceased veteran, or a person who is the parent or step-parent of the war widow or war widower, or a person who was the parent or step-parent of another person who was the partner of a deceased veteran—a maximum of \$27,835 every 12 months for a continuous 24 month period starting on the day the support plan comes into effect.

10 Paragraph 9(2)(a)

Omit “or former partner of a veteran”, substitute “, former partner of a veteran or a related person of a veteran”.

11 Paragraph 9(2)(b)

After “war widower”, insert “, a person who is the parent or step-parent of a deceased veteran, or a person who is the parent or step-parent of a war widow or war widower in relation to a deceased veteran, or a parent or step-parent of another person who was the partner of a deceased veteran”

12 Subsection 10(1)

Omit “veteran or former partner of a veteran”, substitute “veteran, a former partner of a veteran or a related person of a veteran”