



Veterans' Entitlements (Family Law Affected Income Streams) Principles Amendment (Military Invalidation Payments) Instrument 2024

The Repatriation Commission makes this instrument under section 46ZC of the *Veterans' Entitlements Act 1986*.

Dated 01 August 2024

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

Alison Frame
President

Mark Brewer
AM CSC and Bar
Acting Deputy President

Gwen Cherne
Commissioner

Kahlil Fegan
DSC AM
Commissioner

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1 Name

This instrument is the *Veterans' Entitlements (Family Law Affected Income Streams) Principles Amendment (Military Invalidity Payments) Instrument 2024*.

2 Commencement

This instrument commences on the day after the day it is registered.

3 Authority

This instrument is made under section 46ZC of the *Veterans' Entitlements Act 1986*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Veterans' Entitlements (Family Law Affected Income Streams) Principles 2022

1 Section 4 (note, after paragraph (j))

insert

- (ja) *military invalidity pension income stream*;

2 Section 5

omit

Secretary

insert

Commission

3 After paragraph 5(b)

insert

- (ba) paragraph 46ZA(1)(c);

4 Section 8 (at the end of the heading)

add

or military invalidity pension income stream

5 Subsection 8(1)

substitute

- (1) This section applies if the family law affected income stream is not:
- (a) a defined benefit income stream; or
 - (b) a military invalidity pension income stream.

6 Paragraph 9(2)(b)

omit

Secretary

insert

Commission

7 At the end of part 2

add

9A Income stream that is a military invalidity pension income stream

- (1) This section applies if the family law affected income stream is a military invalidity pension income stream.

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- (2) For the purposes of paragraph 46ZC(ba) of the Act, the Commission must have regard to the following matters in making a decision under paragraph 46ZA(1)(c) of the Act:
- (a) the matters mentioned in items 1 to 12 and 14 to 23 of Schedule 1;
 - (b) any other matter that the Commission considers relevant in the circumstances.
- (3) If payments are being made from the income stream under more than one payment split, the Commission must have regard to each matter mentioned in subsection (2) that applies to each payment split.

8 Schedule 1 (note to Schedule heading)

substitute

(paragraphs 8(2)(a), 9(2)(a), 9A(2)(a), 11(2)(a), 12(2)(a), 14(2)(a), 15(2)(a), 17(1)(a) and 19(1)(a))