



VETERANS' ENTITLEMENTS ACT 1986

SECTION 29

INSTRUMENT OF APPROVAL

(as varied)

Approval

(1) I, BRUCE CRAIG SCOTT, Minister for Veterans' Affairs, in accordance with subsection 29(3) of the *Veterans' Entitlements Act 1986* (the Act), approve:

- (a) the instrument (No.8 of 1997) prepared by the Repatriation Commission under subsection 29(2) of the Act revoking the *Guide* to the Assessment of Rates of Veterans' Pensions prepared by it under subsection 29(1) of the Act by instrument No.7 of 1994, dated 10 June 1994; and
- (b) the *Guide* to the Assessment of Rates of Veterans' Pensions, instrument No.9 of 1997, prepared by the Repatriation Commission under subsection 29(1) of the Act on 30 September 1997.

Commencement

(2) This instrument of approval commences on 18 April 1998.

Dated this 1st day of October 1997.

BRUCE SCOTT, MP
Minister for Veterans' Affairs



VETERANS' ENTITLEMENTS ACT 1986

SECTION 29

Instrument No.8 of 1997
(as varied by Instrument No's 1 of 1998 and 3 of 1998)

REVOCATION OF THE GUIDE TO THE ASSESSMENT OF RATES OF VETERANS' PENSIONS

Revocation

- (1) The Repatriation Commission, under subsection 29(2) of the *Veterans' Entitlements Act 1986* (the Act), revokes the Guide to the Assessment of Rates of Veterans' Pensions prepared by it under subsection 29(1) of the Act by instrument No.7 of 1994 (the old *Guide*), dated 10 June 1994 and approved by the Minister under subsection 29(3) of the Act on 17 June 1994.

Application

- (2) The Guide to the Assessment of Rates of Veterans' Pensions, instrument No.9 of 1997 as varied by Instrument No's 2 and 3 of 1998 (the new *Guide*), applies to any decision by the Repatriation Commission, the Veterans' Review Board, or the Administrative Appeals Tribunal on or after 18 April 1998, whether the proceedings relating to the decision commenced before, on, or after that date.
- (3) In the course of re-assessing or reviewing the assessment or re-assessment of the rate at which a pension is payable, the degree of incapacity of the person to whom that pension is payable shall not be a percentage that is less than the percentage of the general rate of pension constituted by the rate at which that pension was, immediately before 18 April 1998, payable unless:
 - (a) the degree of incapacity of that person from war-caused or defence-caused injury or disease has decreased (as assessed under the old *Guide*) since the rate of pension was previously assessed or last assessed; or

- (b) the previous assessment or last assessment would not have been made but for a false statement or misrepresentation of a person.

Commencement

- (4) This instrument of revocation shall take effect upon the commencement of the new *Guide* approved by the Minister to come into operation on 18 April 1998.

Dated this 30th day of September 1997.

NEIL JOHNSTON
PRESIDENT

KEITH LYON
DEPUTY PRESIDENT

PAUL STEVENS
COMMISSIONER



Instrument No.9 of 1997
(as varied by Instrument No's 2 and 3 of 1998)

Guide to the Assessment of Rates of Veterans' Pensions

The REPATRIATION COMMISSION prepares the following Guide to the Assessment of Rates of Veterans' Pensions under subsection 29(1) of the *Veterans' Entitlements Act 1986*.

Dated: 30th September 1997.

NEIL JOHNSTON
PRESIDENT

KEITH LYON
DEPUTY PRESIDENT

PAUL STEVENS
COMMISSIONER