

ARTHUR ROBINSON & HEDDERWICKS  
*PRINTERS*

1996

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VETERANS' AFFAIRS LEGISLATION  
AMENDMENT (1996-97 BUDGET AND  
OTHER MEASURES) BILL 1996**

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Veterans' Affairs,  
The Honourable Bruce Scott MP)

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# OUTLINE

## **Outline and Financial Impact**

This Bill gives effect to a number of measures relating to Veterans' Affairs legislation announced as part of the Government's 1996-97 Budget.

Unless otherwise indicated, the measures contained in this Bill have no or negligible financial impact.

### **SCHEDULE 1**

#### **AMENDMENT OF THE VETERANS' ENTITLEMENTS ACT 1986**

##### **♦ Transfer of carer service pension recipients and carer income support recipients**

The amendments in Part 1 of Schedule 1 remove all carer provisions from the *Veterans' Entitlements Act 1986*, allowing the recipients to transfer to a similar payment under the *Social Security Act 1991*.

Date of effect: 1 July 1997

##### **♦ Appropriations**

Part 2 of Schedule 1 includes an amendment that enables the appropriation of funds from the Consolidated Revenue Fund for health services provided to certain veterans and dependants.

Date of effect: Royal Assent

##### **♦ Rent assistance for single persons sharing accommodation**

Part 3 of Schedule 1 makes amendments that set a new maximum rate of rent assistance for single people who share accommodation. The new maximum rate will

be two-thirds of the maximum rate of rent assistance currently applicable to single people. It will not be applicable to people who have dependant children, pay for their board and lodging, or are in a nursing home.

Date of effect: 1 July 1997

Financial impact	1996-97	\$0.375m
	1997-98	(\$0.136m)
	1998-99	(\$0.132m)
	1999-00	(\$0.128m)

## **SCHEDULE 2**

### **CONSEQUENTIAL AMENDMENTS RELATING TO THE CHANGE OF NAME FROM CARER PENSION TO CARER PAYMENT**

Schedule 2 changes the name of carer pension to carer payment in Veterans' Affairs legislation.

Date of effect 1 July 1997

## **SCHEDULE 3**

### **AMENDMENTS RELATING TO CERTAIN SAVED FRINGE BENEFITS**

Schedule 3 makes amendments that will mean that people who currently receive fringe benefits but do not receive service pension will no longer be entitled to receive fringe benefits from 1 July 1997. These people have income and assets above the pension limits and are therefore at an advantage over others in a similar financial situation.

Date of effect 1 July 1997

## **SCHEDULE 4**

### **AMENDMENTS OF THE SOCIAL SECURITY ACT 1991 RELATING TO THE PAYMENT OF CERTAIN PENSIONS**

Schedule 4 amends the *Social Security Act 1991* to allow the Department of Veterans' Affairs, acting as an agent of the Department of Social Security, to pay and administer the age pension, and in certain circumstances the wife pension, of certain disability pensioners and their partners.

Date of effect 1 July 1997

Financial impact	1996-97	\$1.621m
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(costs)	1997-98	(\$1.063m)
	1998-99	(\$1.270m)
	1999-00	(\$1.206m)

#### **SCHEDULE 5**

#### **APPLICATION, TRANSITIONAL AND SAVING PROVISIONS**

The amendments in Schedule 5 preserve the entitlements of certain carers who may be disadvantaged by a transfer to a carer payment under the Social Security Act

Date of effect            1 July 1997

#### **SCHEDULE 6**

#### **OTHER TECHNICAL AMENDMENTS**

The amendments in Schedule 6 correct misdescribed amendments of the *Veterans Entitlements Act 1986* (the VEA).

Date of effect            20 March 1996

## CLAUSES

### **Short Title**

**Clause 1** sets out how the Act is to be cited.

### **Commencement**

**Clause 2** sets out the various commencement dates of the provisions in the Act. These will be explained in more detail as each topic is explained.

### **Schedule(s)**

**Clause 3** provides that each Act specified in a Schedule is amended as set out in the items of that Schedule.

## SCHEDULE 1

### **Amendment of the Veterans' Entitlements Act 1986**

#### **Overview**

The amendments of the *Veterans' Entitlements Act 1986* are set out in three Parts. Each Part is dealt with separately in this explanatory memorandum (see Table of Contents for the page number for each Part).

# SCHEDULE 1

## PART 1

### **Amendments relating to the transfer of carer service pension recipients and carer income support recipients**

#### **Overview**

The amendments in this Part of Schedule 1 remove all carer provisions from the *Veterans' Entitlements Act 1986* (VEA), allowing the recipients to transfer to a similar payment under the *Social Security Act 1991*.

#### **Background**

There are three streams of income support for carers in the VEA:

- carer service pension where caring for a service pensioner veteran;
- carer service pension where caring for a non-pensioner veteran; and
- carer stream of income support supplement.

These carer payments are similar to carer payments made under the Social Security Act. At present there are only about 100 carers in payment under the VEA. The proposal rationalises carer payments by transferring the administration of these payments to the Department of Social Security.

#### **Explanation of the changes**

The amendments remove from the VEA all carer income support provisions, and references to those provisions.

The saving provision dealt with in Schedule 5 preserves the pension of those who might be adversely affected by a transfer to a similar payment under the *Social Security Act 1991*.



### **Explanation of the items**

**Item 1** omits a reference to the definition of *care receiver* from the index of definitions in section 5. The definition is being repealed by **item 3**.

**Item 2** repeals a reference to carer service pension from the definition of *compensation affected pension* in subsection 5NB(1).

**Item 3** repeals the definition of *care receiver* in subsection 5Q(1).

**Items 4 and 5** repeal a reference to carer service pension from the definition of *service pension* in subsection 5Q(1).

**Items 6 and 7** amend section 35 dealing with the order and structure of Divisions in Part III dealing with service pension. References to carer service pension and Division 6 dealing with carer service pension are removed.

**Item 8** repeals from Part III the Division dealing with carer service pension, Division 6.

**Items 9 to 12** amend section 41 dealing with the service pension rate calculator where there are no dependent children. They remove references to carer service pension.

**Items 13 to 15** amend section 42 dealing with the service pension rate calculator where there are dependent children. They remove references to carer service pension.

**Items 16 to 18** amend the table in point 42-C2 which deals with the allocation of dependent children in the rate calculator. They omit the column, row and key entry referring to carer service pension.

**Items 19 to 21** amend the table in point 43-C2 which deals with the allocation of dependent children in the rate calculator. They omit the column, row and key entry referring to carer service pension.

**Items 22 to 25** amend section 45 dealing with the service pension rate calculator for "frozen rate" widows and widowers. They remove references to carer service pension.

**Item 26** repeals section 45AB dealing with eligibility for income support supplement where caring for a handicapped person.

**Item 27** removes a reference to carer service pension from section 45D dealing with restrictions on dual pensions in relation to income support supplement.

**Items 28 to 30** amend the table in point 45Y-G2 which deals with the allocation of dependent children in the rate calculator. They omit the column, row and key entry referring to carer service pension.

**Items 31 to 33** amend section 50A dealing with a reduction in the rate of payment if receiving payments under the New Enterprise Incentive Scheme. They remove references to carer service pension.

**Items 34, 35 and 37 to 42** amend assets test provisions to remove references to sections 53AJ and 53AL which are being repealed by **item 45**.

**Item 36** repeals section 52K which provided that the Subdivision dealing with disposal of assets did not apply for the purposes of the care receiver assets test. That assets test is being repealed by **item 45**.

**Item 43** repeals section 52ZAA which provided that the Subdivision dealing with financial hardship did not apply for the purposes of the care receiver assets test. That assets test is being repealed by **item 45**.

**Item 44** repeals section 52ZN which provided that the Subdivision dealing with the pension loans scheme did not apply for the purposes of the care receiver assets test. That assets test is being repealed by **item 45**.

**Item 45** repeals, from Part IIIB, Division 11A dealing with the provisions relating to carer payments with respect to people caring for others who do not receive a pension or benefit.

**Item 46** repeals note 2 dealing with carer payments from section 53J.

**Item 47** repeals, from Division 12A of Part IIIB, Subdivision E dealing with bereavement payment for non-partner carers.

**Item 48** repeals, from Part IIIB, Division 12B dealing with the continuation of carer payments during the transition period after the person being cared for enters a nursing home.

**Item 49** repeals, from Part IIIB, Division 13A dealing with the obligations of a care receiver.

**Item 50** repeals sections 56BB and 56BC dealing with automatic termination where the care receiver does, or does not, meet notification obligations.

**Item 51** repeals section 56GAA dealing with the date of effect of a favourable decision under section 53AN, which has been repealed by **item 45**.

**Items 52 and 53** amend section 56H dealing with the date of effect of an adverse decision. They remove subsections (9), (10) and (11) dealing with the taxable income of a care receiver.

**Item 54** repeals section 56HA dealing with the date of effect of an adverse decision under section 53AN, which has been repealed by **item 45**.

**Items 55 and 56** amend section 56J dealing with cancellation of pension at the request of a pensioner. References to carer service pension are omitted from the section and the note.

**Items 57 and 58** amend section 56K dealing with suspension of pension if instalments are not drawn. References to carer service pension are removed.

**Item 59** repeals section 57AA dealing with care receivers seeking review of decisions.

**Items 60 and 61** amend section 57A dealing with applications for review. Subsection (1A) dealing with reviews under section 57AA (being repealed by **item 59**) is repealed.

**Item 62** repeals section 57CA dealing with the date of effect of review decisions relating to care receivers.

**Items 63 and 64** repeal a paragraph about carer service pension from the note to section 58K dealing with portability of pension.

**Item 65** repeals section 58KA dealing with restrictions on the portability of carer service pension.

**Item 66** repeals sections 59GC, 59GD and 59GE dealing with indexation of ceilings and limits relating to care receivers.

**Items 67 and 68** amend section 59M dealing with compensation recovery. They repeal a paragraph and a subsection relating to carer service pension.

**Item 69** amends Example 1 to section 59W and has the effect of removing references to carer service pension and substituting references to partner service pension.

**Item 70** amends section 85 dealing with eligibility for treatment. A reference to a carer service pension is removed.

**Item 71** amends section 98 dealing with attendant allowance. Subsection (4A) dealing with carer service pension is repealed. Subsection (4B) dealing with carer pension under the Social Security Act will continue to apply to the transferred carers.

**Item 72** amends section 118AA dealing with education entry payments by repealing the paragraph referring to carer service pension.

**Items 73 and 74** amend section 205 dealing with the recovery of overpayments. Subsection (1AA) dealing with care receivers is repealed.

### **Commencement**

**Subclause 2(2)** provides that this Part commences on 1 July 1997.

# SCHEDULE 1

## PART 2

### **Amendments relating to appropriations**

#### **Overview**

This Part includes an amendment that enables the appropriation of funds from the Consolidated Revenue Fund for health services provided to certain veterans and dependants.

#### **Background**

Part V of the Veterans' Entitlements Act 1986 provides for the treatment of eligible veterans and dependants. Currently annual appropriations provide the funds for expenditure incurred under Part V.

The "Easson Task Force" has recommended that the payment of public debt interest should be reduced by retaining funding in the Commonwealth Public Account. This aim will be assisted by funding Part V expenditure by special appropriation.

#### **Explanation of the items**

**Item 75** amends section 199 dealing with appropriation.

Firstly, it omits old paragraph 199(b). This corrects a technical error that has existed since the 1991 "plain English" rewrite of Part III of the Act. The old paragraph appropriated funds for remote area allowances which before the rewrite were separate from pensions. After the rewrite they are an integral part of a pension and are thus already fully appropriated by paragraph 199(a).

Secondly, it substitutes new paragraph 199(b) which appropriates funds for medical and other treatment provided under Part V.

### **Commencement**

**Subclause 2(1)** provides that this Part will commence on the day on which the Act receives the Royal Assent.

# **SCHEDULE 1**

## **PART 3**

### **Amendments relating to rent assistance for single persons sharing accommodation**

#### **Overview**

These amendments set a new maximum rate of rent assistance for single people who share accommodation. The new maximum rate will be two-thirds of the maximum rate of rent assistance currently applicable to single people.

The new maximum rate of rent assistance will not be applicable to single people who share accommodation but have dependant children, pay for their board and lodging, or who reside in a nursing home.

#### **Background**

The new maximum rate is introduced in recognition of the reduced costs faced by single people who share accommodation. Its aim is to provide greater equity between single persons who share accommodation and families in similar situations.

#### **Explanation of the changes**

The amendments provide the Repatriation Commission (the Commission) with the power to determine if someone is a single person sharing accommodation. Only people who the Commission determines are single people sharing accommodation, and whose assessed rate of rent assistance is below the new maximum rate, will have their rent assistance reduced because of these changes.

The Commission cannot determine that someone is a single person sharing accommodation, if the person is a member of a couple, has one or more dependant children, pays for board and lodging or is in a nursing home. If a person lives with at

least one of their children and that child receives specified government assistance such as AUSTUDY or a social security payment, the person may still be determined to be a single person sharing accommodation, provided the other criteria are satisfied.

People in nursing homes are those who under the VEA are described as being "in residential care" or who "reside in a nursing home". In summary, these are people who are either in homes or premises designed primarily for the mentally disabled, or are in homes and hostels designed primarily for the aged or disabled.

When determining if a person is a single person sharing accommodation, the Commission must have regard to whether the person shares accommodation with at least one other person and as a result incurs living expenses that are, or are likely to be, less than they would have been if that person was living alone. It can also have regard to any other circumstances that it considers relevant.

This approach provides the Commission with the flexibility to ensure that single people who live in varying accommodation arrangements with shared facilities, but who have similar living expenses to a single person living alone are entitled to the same maximum rate of rent assistance. The Commission will be able to examine individually the impact of a wide variety of rental arrangements on the finances of the single person.

The amendments will allow the Commission to consider not only the amount of living expenses of the person, but also the parity of contribution to household expenses by the sharers of the accommodation. For instance, a person who pays most of the bills of a group house, and therefore incurs living expenses that are more than if the person was living alone, might still be determined to be a single person sharing accommodation if the person pays them in exchange for having equal use of a car owned and maintained by another sharer.

A decision by the Repatriation Commission to reduce the rate of a person's service pension or income support supplement because of a reduction in the amount of rent assistance, can be reviewed, like any other decision reducing the rate of pension or income support supplement, firstly by the Commission and then by the Administrative Appeals Tribunal.

### **Explanation of the items**

**Item 76** inserts a reference to "single person sharing accommodation" into the index of definitions in section 5.

**Item 77** inserts a new section 5MD. This new section provides that a person can only be treated under the Act as a single person sharing accommodation if the Commission makes such a determination in writing. It also sets out the matters to which the Commission is to have regard when making such a determination.

The new section provides that the Commission cannot make such a determination if the person is a member of a couple, has dependant children, pays money for the

person's board and lodging or is residing in a nursing home or is in residential care. Reference is made in notes to where definitions of "residing in a nursing home" and "residential care" can be found.

The section also provides that the Commission may still make a determination that a person is a single person sharing accommodation if the person is sharing accommodation with a recipient child. However, this cannot be the only reason for making such a determination. A definition of recipient child is included in new section 5MD.

**Item 78** adds a new paragraph (c) to point 41-C4 to make clear that whether a person is a single person sharing accommodation may affect the rate of rent assistance payable to the person.

**Item 79** amends point 41-C6 of the rate calculator applicable to people who are eligible for service pension who have no dependant children. The amendment provides for the new maximum rate of rent assistance that can be payable to single people who share accommodation. This amount is two thirds of the maximum rate applicable to single people.

**Item 80** inserts a new note after point 41-C6 to refer readers to new section 5MD for an explanation of "single person sharing accommodation".

**Item 81** adds a new paragraph (c) to point 45X-D5 to make clear that whether a person is a single person sharing accommodation may affect the maximum amount of rent assistance payable to the person.

**Item 82** amends point 45X-D7 of the rate calculator applicable to people who are eligible for income support supplement and who have no dependant children. The amendment provides for the new maximum rate of rent assistance that can be payable to single people who share accommodation. This amount is two thirds of the maximum rate applicable to single people.

**Item 83** inserts a note after point 44X-D7 to refer readers to new section 5MD for an explanation of "single person sharing accommodation."

### **Commencement**

**Subclause 2(2)** provides that this Part will commence on 1 July 1997.



## SCHEDULE 2

### **Consequential amendments relating to the change of name from carer pension to carer payment**

#### **Overview**

These amendments change the name of carer pension to carer payment in Veterans' Affairs legislation.

#### **Background**

The Government made commitments to carers as part of its 1996 Election strategy. The Social Security Legislation Amendment (Budget and Other Measures) Bill 1996 gives effect to these commitments in Schedules 1 and 2.

In particular, Schedule 2 of that bill amends five Acts by changing the name of carer pension to carer payment. Similar changes are necessary in Veterans' Affairs legislation.

#### **Explanation of the items**

**Items 1 and 2** replace references to carer pension with references to carer payment in the *Veterans' Entitlements Act 1986* and the *Veterans' Entitlements (Transitional Provisions and Consequential Amendments) Act 1986*.

#### **Commencement**

**Subclause 2(2)** provides that this Schedule will commence on 1 July 1997.

## SCHEDULE 3

### **Amendments relating to certain saved fringe benefits**

#### **Overview**

These amendments will mean that people who currently receive fringe benefits but who do not receive service pension any more will no longer be entitled to receive fringe benefits from 1 July 1997.

#### **Background**

Fringe benefits are certain benefits and concessions provided by the Commonwealth and State and Territory governments such as concessions on the cost of pharmaceuticals and travel fares. Entitlement to fringe benefits is demonstrated by the possession of a Pensioner Concession Card (PCC). Governments as well as various private organisations such as cinemas and clubs often use the PCC card as a basis for providing concessions.

Fringe benefits used to be available only to veterans who was permanently blind, or who received a maximum rate service pension, or who received a reduced service pension provided that the veteran satisfied the fringe benefits ordinary income test or assets test.

In 1991 the deeming provisions were introduced into the VEA. These provisions deemed a rate of return for a pensioner's cash at hand and any deposit money earning less than the deemed rate.

Shortly afterwards section 17 of the *Rewrite Transition Act 1991* was introduced. This savings provision enabled a person who would lose entitlement to fringe benefits, as a result solely of the application of the new deeming provisions, to retain that entitlement under certain circumstances.

In 1992 fringe benefits entitlement was extended to all people who receive an amount of service pension. However, there are still some veterans who continue to be saved under the savings provisions.

### **Explanation of the changes**

These amendments will remove the provision that currently saves the entitlement of some people to fringe benefits who do not receive any service pension. These people have income and assets above the pension limits and are therefore at an advantage over others in a similar financial situation. They will also lose their entitlement to telephone allowance. However, the change will not affect many people.

The amendments will not remove the entitlement, to treatment at departmental expense, of certain veterans whose entitlement was saved on the basis that they were entitled to saved fringe benefits.

### **Explanation of the items**

**Item 1** repeals paragraph 83(a) of the *Veterans' Affairs Legislation Amendment Act 1992* and substitutes a new paragraph. New paragraph 83(a) ensures that veterans whose entitlement to treatment under Part V of the VEA at departmental expense was saved on the basis that they were eligible for fringe benefits under section 17 of the *Veterans' Entitlements (Rewrite) Transition Act 1991* will still have that entitlement even though they are no longer eligible for fringe benefits.

**Item 2** repeals the notes to section 53A of the VEA. Those notes state that some people still have saved fringe benefits because of section 17 of the *Veterans' Affairs (Rewrite) Transition Act 1991*. Because that section will be repealed, the notes are no longer necessary.

**Item 3** makes a minor amendment to the tense in note 4 because people are no longer eligible for saved fringe benefits.

**Item 4** amends note 4 to subsection 53D(1) and makes clear that section 17 of the *Veterans' Entitlements (Rewrite) Transition Act 1991* has been repealed.

**Items 5 and 6** repeal note 2 to subsection 118Q(1) and the note to subsection 118S(2) respectively. These notes state that the people who are eligible for fringe benefits because of the savings provision are also eligible for telephone allowance. Now that they are no longer eligible for fringe benefits, they are also no longer eligible for telephone allowance. The notes are therefore misleading.

**Item 7** repeals section 17 of the *Veteran's Entitlements (Rewrite) Transition Act 1991*. The effect of this is that people who have had their fringe benefits saved by that section will no longer be eligible for fringe benefits. As a result, they will also no longer be eligible for telephone allowance if their eligibility for that allowance was based upon their saved entitlement to fringe benefits.

### **Commencement**

**Subclause 2(2)** provides that this Schedule will commence on 1 July 1997.

## SCHEDULE 4

### **Amendments of the Social Security Act 1991 relating to the payment of certain pensions**

#### **Overview**

These amendments of the *Social Security Act 1991* allow the Department of Veterans' Affairs, acting as an agent of the Department of Social Security, to pay and administer the age pension, and in certain circumstances the wife pension, of certain disability pensioners and their partners.

#### **Background**

Currently about 38,000 veterans (and their eligible partners) are required to deal with both the Department of Veterans' Affairs and the Department of Social Security. In addition to a social security age pension they are also receiving compensation in the form of a disability pension, mainly because of an incapacity arising from a war-caused injury or disease. These pensions for incapacity are paid under Parts II and IV of the *Veterans Entitlements Act 1986* (VEA). These veterans are not receiving service pension as they have not rendered qualifying service as defined in section 7A of the VEA.

The agency arrangements will be available to those dual pensioners who indicate that they would prefer to have their age pension paid by the Department of Veterans' Affairs.

All existing provisions of the Social Security Act allow an agency arrangement to proceed with the exception of the opposing paydays. Currently disability pension is paid fortnightly one week and age pension and wife pension are paid on the other week.

#### **Explanation of the changes**

The amendments allow the Secretary of the Department of Social Security to determine that certain age pensioners and wife pensioners will be paid on the

Veterans' Affairs payday. To avoid windfall gains from the transfer, the first and any last payment would be a half instalment. That is, payments would accord with the following pattern:

- last DSS fortnightly payment - a full instalment;
- one week later, first DVA payment - a half instalment; and
- a fortnight later regular fortnightly DVA payment - a full instalment.

### **Explanation of the items**

**Items 1 and 2** amend section 57 dealing with payment of age pension by instalments. New subsections (3) and (4) are added.

New subsection 57(3) allows the Secretary to make a determination specifying pension paydays for an age pensioner who is receiving, or whose partner is receiving, a disability pension.

New subsection 57(4) links the meaning of *veterans' disability pension* to a definition in the VEA.

**Item 3** inserts new section 59A dealing with the calculation of a half instalment of age pension.

New subsection 59A(1) provides that the section applies if the Secretary has determined pension paydays which are 7 days after the normal pension paydays.

New subsection 59A(2) provides that the first pension instalment is to be worked out in accordance with a formula which halves the normal instalment.

Similarly, new subsection 59A(3) provides that the last pension instalment is to be worked out in accordance with a formula which halves the normal instalment.

**Items 4 and 5** amend section 161 dealing with payment of wife pension by instalments. The amendments are similar to the amendments in **items 1 and 2**.

**Item 6** inserts new section 163A dealing with the calculation of a half instalment of a wife pension and is similar to **item 3**.

### **Commencement**

**Subclause 2(2)** provides that this Schedule will commence on 1 July 1997.

## SCHEDULE 5

### **Saving provisions**

#### **Overview**

The amendments in this Schedule preserve the entitlements of certain carers who may be disadvantaged by a transfer to a carer payment under the Social Security Act

#### **Background**

The amendments in Schedule 1 repeal all of the carer provisions in the *Veterans' Entitlements Act 1986*. From 1 July 1997 most of the carers covered by these provisions will transfer to an equivalent social security pension at the same rate.

However, a small proportion of existing carers would be disadvantaged by a transfer.

#### **Explanation of the items**

**Item 1** adds a new clause to Schedule 5 of the *Veterans' Entitlements Act 1986*. That Schedule deals with savings and transitional provisions.

New clause 8 relates to the transfer of carer service pension and carer income support supplement.

New subclause 8(1) will preserve the carer service pension of those partnered with and caring for their service pensioner partner, providing that they are eligible for a partner service pension except for subsection 38(1B). That subsection prevents the payment of partner service pension unless the person has reached the age of 50 years or has a dependent child.

It is expected that the carer service pension paid to these partners will be converted to a partner service pension when they reach the age of 50 years.

Similarly, new subclause 8(2) will preserve the income support supplement of those who are eligible for an ordinary income support supplement except for paragraph

45A(1)(b) where a qualifying age also applies. It is expected that the carer income support supplement paid to these people will convert to an ordinary income support supplement when they reach the qualifying age.

New subclause 8(3) will preserve the carer service pension of those caring for a veteran who is not an age or invalidity service pensioner (ie those who are eligible for the pension because of subparagraph 39(3)(c)(ii)). Because of the different treatment that would apply to these people under the Social Security Act, all of the people currently eligible this way would receive a lower rate of pension if transferred.

### **Commencement**

**Subclause 2(2)** provides that this Schedule will commence on 1 July 1997.

## SCHEDULE 6

### Other technical amendments

#### Overview

The amendments in this Schedule correct misdescribed amendments of the *Veterans Entitlements Act 1986* (the VEA).

#### Explanation of the items

**Items 1 and 2** repeal and substitute misdescribed amendments in the *Veterans' Affairs Legislation Amendment (1995-96 Budget Measures) Act (No. 2) 1995*. Items 11 and 12 attempted to amend subparagraphs 52S(5)(e)(iii) and 52T(3)(c)(iii) of the VEA but items 128 and 130 of Schedule 1 to the *Veterans' Affairs Legislation Amendment and Repeal Act 1995* had changed those subparagraphs to paragraphs 52S(5)(eb) and 52T(3)(cb).

#### Commencement

**Subclause 2(3)** provides that Schedule 6 is taken to have commenced on 20 March 1996, immediately after the commencement of Schedule 6 to the *Veterans' Affairs Legislation Amendment (1995-96 Budget Measures) Act (No. 2) 1995*.

