



Veterans' Support Bill

The Veterans' Support Bill has been introduced into the House of Representatives by the Minister of Veterans' Affairs, Hon Michael Woodhouse, and had its first Reading in the House on 22 October 2013.

The new legislation will replace the War Pensions Act 1954 and is the government's response to the Law Commission's review of the Act that was undertaken in 2010.

Mr Woodhouse, Minister of Veterans' Affairs, said the review is the most comprehensive review of veterans' entitlements since the 1954 Act was introduced.

"The new legislation will enable the government to better meet the needs of older veterans who require assistance to remain in their own homes.

"It also enables the needs of veterans of modern day deployments who require rehabilitation and assistance to work", Mr Woodhouse said.

The new legislation will contain many of the same provisions as in the current Act. The service eligibility criteria will remain the same and all veterans currently covered under the 1954 Act will have coverage under the new legislation. Medical treatment for accepted conditions will continue to be funded.

In 2012, the government announced a \$60 million package to support changes resulting from the new legislation over the next five years. As part of this package, the government also increased both the War Disablement Pension and Surviving Spouse Pension payment rates by 5 percent on 1 April 2013. This was a one-off increase that was in addition to the usual Consumer Price Index (CPI) adjustment that occurs annually at this time.

Veterans will have an opportunity to comment on the new legislation when the Bill enters Select Committee. The Bill is now available via the Veterans' Affairs New Zealand (VANZ) website (www.veteransaffairs.mil.nz) for review.

Dates and the process detailing how to make a submission on the legislation will be available on the VANZ website when announced by the Select Committee.

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CONTRIBUTIONS FOR
VANZ NEWS
ARE TO BE POSTED TO:
THE EDITOR
P.O BOX 5146
WELLINGTON 6145
OR EMAILED TO:
VETERANS@XTRA.CO.NZ

NEW VETERANS LEGISLATION

Government Response

The New Zealand Government accepted 132 of the Law Commission's recommendations, adopting them in full or in part. The Government has committed a \$60 million package over the next five years to implement the new legislation, which will incorporate the accepted recommendations.

More Information

More information about the Government response and the proposed new legislation can be found on the VANZ website at www.veteransaffairs.mil.nz.

New Legislation

The new legislation will contain many of the same provisions as in the current Act. All veterans currently covered under the 1954 Act will have coverage under the new legislation. The service eligibility criteria will remain the same. The benevolence of the 1954 Act will continue in the new legislation.

Medical treatment for accepted conditions will continue to be funded.

Where to from here

The draft Veterans' Support Bill has been introduced into the House of Representatives by Minister of Veterans' Affairs, Hon Michael Woodhouse, and had its first Reading in the House on 22 October 2013.

Veterans will have an opportunity to comment on the new legislation when the Bill enters Select Committee. The draft Bill is now available via the Veterans' Affairs New Zealand (VANZ) website (www.veteransaffairs.mil.nz) for review.

Have your say

Veterans and other members of the public will have an opportunity to comment on the new legislation as part of the Select Committee process. Dates and the process detailing how to make a submission on the legislation will be available on the VANZ website when announced by the Select Committee.

Work to Date

The Law Commission's final report on its review of the War Pensions Act 1954 contained 170 recommendations. The Law Commission proposed replacing the current legislation and recommended that significant changes be made to the administrative and decision-making processes to update and

modernise the legislation.

The Law Commission also recommended that two schemes be introduced to better cater for the needs of both elderly veterans and those of modern day and future deployments. Scheme One will cover veterans serving up to and including Vietnam. Scheme Two will cover service after Vietnam.

Frequently Asked Questions

The following information reflects the recommendations agreed to by the Government. These are still subject to scrutiny at Select Committee and the parliamentary process.

How will I know when the new legislation and any new rules apply?

There will be announcements made once the draft Bill has been through the Parliamentary process and a date for the new legislation is confirmed. Any person who is in receipt of entitlements at the time the new legislation comes into effect will be provided with information advising them about the changes.

How will I know what entitlements I have under the new legislation?

VANZ will develop fact sheets setting out information about each entitlement, which will be available to veterans before the new legislation commences.

I am currently in receipt of a War Disablement Pension. How will these changes affect me?

All veterans currently in receipt of a War Disablement Pension will have their entitlements grand-parented under the new legislation.

Will the rate at which my pension is paid change?

Current pension recipients will continue to be paid their pension at the rate it is currently paid. The pension will continue to be adjusted each year to take into account changes in the Consumer Price Index (CPI).

I am currently in receipt of a War Disablement Pension. What scheme will I be covered by if I make a claim for another condition?

Veterans will retain their current entitlements under the new legislation. Once Scheme Two is implemented, any future claims will be treated in one of two ways.

If the claim relates to service prior to the date Scheme Two was implemented, it will be covered by Scheme One.

If the claim relates to service after the date Scheme Two was implemented, it will be covered by Scheme Two.

How will I know whether I'd be better off keeping the pension I currently receive or moving to an entitlement under the new legislation?

All veterans currently in receipt of a War Disablement Pension will keep that entitlement under the new legislation. Those veterans currently aged under 65 and in receipt of the Veteran's Pension will have a choice to move to a new entitlement, known as Veteran's Weekly Income Compensation. Veterans will be provided with information setting out exactly what the implications would be in moving to the new entitlement before they make the decision. This includes information from the Ministry of Social Development showing how any other entitlements may be affected.

Similarly, all Surviving Spouse Pension recipients will keep their entitlement under the new legislation.

I served in Vietnam after 1 April 1974. What scheme am I covered by?

All veterans with qualifying service in Vietnam will be covered under Scheme One.

I am under 65 years of age and in receipt of a Veteran's Pension. If I change to weekly compensation payments, can I change back to a Veteran's Pension at a later date?

No. This is a one-time decision to change to weekly compensation payments. Veterans will be provided with information on how the change might affect them to allow them to make an informed decision.

PROPOSED LEGISLATION

Set out below is an overview of the main features of the proposed new legislation to replace the War Pensions Act 1954. It is possible that some features of the new legislation may change as the Bill progresses through the Parliamentary process. Updates on the progress of the Bill will appear in future issues of VANZ News and on the VANZ website at: www.veteransaffairs.mil.nz

SCHEME ONE

Overview

Scheme One will commence on 1 July 2014 and will cover veterans with service from the Second World War through to Vietnam. Scheme One will act as the legislation for all veterans until such time as Scheme Two is introduced.

Veterans

Scheme One will be based on entitlements in the current Act.

VETERANS' DISABLEMENT PENSION

The War Disablement Pension will be replaced with a Veterans' Disablement Pension for any impairment that is found to be aggravated by or attributable to their military service. This is paid in the form of a lifetime periodic payment. The Veterans' Disablement Pension will be paid for four weeks following the recipient's death. This will give time for families to put the veteran's affairs in order without generating a debt.

VETERAN'S WEEKLY INCOME COMPENSATION

The Veteran's Pension for veterans who are under 65 years of age will be replaced with a new pension. The pension will pay a higher rate of income compensation for veterans unable to work than is currently available. However, partners cannot be included. Veterans in receipt of a Veteran's Pension can choose to remain in receipt of that pension. The rate paid will be based on 80 percent of the average wage which, based on current figures, will be an increase of approximately \$200/week gross.

Spouses/Partners

There will be no change to the Surviving Spouse Pension eligibility criteria.

Dependant Children

Scheme One will have a Children's Pension that will be a combination of the Parent's Allowance and Child's Pension entitlements available under the current legislation. This will be paid at the combined rate of both of the current entitlements.

SCHEME TWO

Overview

Scheme Two will commence on 1 July 2015 and will cover veterans with qualifying operational service after Vietnam. As recommended by the Law Commission, Scheme Two will be aligned with ACC entitlements.

Veterans

IMPAIRMENT COMPENSATION

The War Disablement Pension will be replaced by compensation that is aligned with the equivalent form of ACC entitlement. ACC impairment compensation is paid in two different forms – a periodic payment or lump sum depending on when the injury occurred. Scheme Two impairment compensation will be paid in the same form as the ACC payment but at a rate higher than that paid by ACC. If an eligible veteran's claim is not accepted by ACC, then VANZ will pay the full amount of both the compensation payable by ACC and the additional "top-up" payment from VANZ.

WEEKLY COMPENSATION PAYMENTS

The Veteran's Pension for veterans under 65 years of age will be replaced with weekly compensation payments. Veterans who qualify for ACC and are eligible for weekly compensation under Scheme Two will receive 80 percent of their pre-injury earnings from ACC plus an additional 20 percent "top-up" payment from VANZ in the first year. After the first year, the "top-up" will be 5 percent. Veterans who do not qualify for ACC but are eligible for weekly compensation under Scheme Two will be paid the full amount by VANZ. In this way all eligible veterans will be compensated equally.

Spouses/Partners

Compensation will be paid differently under Scheme Two. A qualifying spouse/partner of a deceased veteran will be eligible for both a tax-free lump sum payment of \$25,000, and a 60% portion of the veteran's income paid as weekly compensation for a fixed period.

Dependant Children

A qualifying child of a deceased veteran will be eligible for both a tax-free lump sum payment of \$10,000, and a 20% portion of the veteran's income will be evenly divided between all of the veteran's children and paid as weekly compensation.

Common Provisions

CONTINUED BENEVOLENCE

The benevolence underlying the principles of the 1954 Act will remain as will the beneficial evidential provisions.

VETERAN'S PENSION AND WAR FUNERAL GRANT

There will be no change to the present eligibility criteria or rates in respect of the Veteran's Pension for eligible veterans and spouses/partners who are 65 years of age or over. Nor will any change be made to the War Funeral Grant.

INDEPENDENCE PROGRAMME

From 1 July 2015 there will be changes to the eligibility criteria for accessing support services such as home help and lawn mowing to allow an estimated 3,000 additional veterans and 1,100 surviving spouses/partners access to services.



Gallipoli 2015 Ballot

Veterans' Affairs General Manager, Rick Ottaway, is reminding veterans there is a special category for them in the upcoming Gallipoli 2015 Ballot.

"When we asked New Zealanders about how the ballot should be allocated, there was a strong preference for veterans to have their own category", Mr Ottaway says.

"Veterans represent those who fought at Gallipoli and Anzac Day is a day to recognise the service and sacrifice of all those who have fought for New Zealand."

Veterans who hold the New Zealand War Service Medal 1939-45 and the New Zealand Operational Service Medal are eligible for entry in the Veterans category. This means that veterans who are currently serving in the New Zealand Defence Force are eligible as well.

Those who enter in the Veterans category of the Gallipoli 2015 Ballot and are unsuccessful in that category will automatically be entered into the general ballot. Successful attendance pass holders will receive two passes to the commemorations and can give the second pass to anyone they wish.

The attendance passes are free of charge and successful attendance pass holders will need to arrange and pay for all costs associated with travel to Turkey and back. This includes all accommodation.

"VANZ is aware of some tour operators selling package tours to the Gallipoli 2015 commemorations.

No attendance passes have been set aside for tour operators. Individuals must enter the Ballot to guarantee a chance of entry to the Anzac services on 25 April 2015, if successful", says Mr Ottaway.

The Ballot will open at midnight on Friday 15 November 2013 and close on 31 January 2014. Entrants will be advised of their success, or otherwise, in March 2014.

Attendance passes entitle holders to attend the Dawn Service at the Anzac Commemorative Site and the New Zealand service at Chunuk Bair.

For more information, visit www.Gallipoli2015.govt.nz - or call Freephone 0800 842 538 once the Ballot opens.

Keeping in touch with Veterans' Affairs New Zealand

Please tell us as soon as you

- Change your address
- Change your bank account
- Change your marital status
- Plan to go overseas to live
- Move to a rest home or hospital
- Have someone come to live with you

In the sad event of your death

- your family or the executor of your estate needs to tell us as soon as you pass away
- your partner or family may have some entitlements in respect of
 - a funeral grant
 - a ex-services memorial plaque or headstone for your grave in a public or private cemetery
- you may be receiving help that needs to be cancelled or reassessed
- your pension will be paid until the date of your death. If it is not stopped immediately after your death it can quickly build up a debt that your estate will have to repay

We suggest you leave this note with your Will or personal papers so the person looking after your affairs knows to get in touch with us.

Veterans' Affairs New Zealand
 ph 0800 483 8372 in NZ
 ph +64 4 495 2070 from overseas
 email veterans@xtra.co.nz