



Veterans' Support Regulations 2014

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 1st day of December 2014

Present:

The Right Hon John Key presiding in Council

Pursuant to sections 7, 20, 21, 22, 31, 47, 56, 66, 72, 76, 81, 145, 148, 151, 153, 154, 169, 174, 229, 247, 254, 265, 266, and 269 of the Veterans' Support Act 2014, His Excellency the Governor-General makes the following regulations, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) in relation to regulations 9 to 15 and 17, on the recommendation of the Minister of Veterans' Affairs given in accordance with sections 20, 21, 22, and 269 of that Act.

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Regulations

- 1 Title**
These regulations are the Veterans' Support Regulations 2014.
- 2 Commencement**
These regulations come into force on 7 December 2014.
- 3 Interpretation**
In these regulations, unless the context otherwise requires,—
 - (a) **Act** means the Veterans' Support Act 2014;
 - (b) terms used but not defined in these regulations and used or defined in the Act have the same meaning as in the Act;
 - (c) the amount of any rate or other payment is the amount before the deduction of tax (if any).

Part 1 Regulations relating to Part 1 of Act

Treatment providers

- 4 Additional occupational groups to be treatment providers**
Regulations 5 to 8 provide that members of certain occupational groups who meet specified criteria are treatment providers for the purposes of the definition of treatment provider in section 7 of the Act.
- 5 Acupuncturists**
A person who is an acupuncturist is a treatment provider if the person is—
 - (a) a member of the New Zealand Register of Acupuncturists Incorporated; or

- (b) a member of the New Zealand Acupuncture Standards Authority Incorporated who—
 - (i) is a qualified health professional registered to practise in some other medical discipline in New Zealand who holds a recognised postgraduate qualification in acupuncture of a minimum of 120 credits (1 year full-time) at Level 8 or above on the New Zealand Register of Quality Assured Qualifications; or
 - (ii) holds a National Diploma in Acupuncture (Level 7) or equivalent according to the criteria for the New Zealand Register of Quality Assured Qualifications.

6 Audiologists

A person who is an audiologist is a treatment provider if the person—

- (a) is a member of the New Zealand Audiological Society Incorporated; and
- (b) when acting as an audiologist, is not acting—
 - (i) in the course of his or her employment by a supplier of hearing aids; or
 - (ii) as a supplier of hearing aids.

7 Counsellors

A person who is a counsellor is a treatment provider if the person is—

- (a) a health practitioner under the Health Practitioners Competence Assurance Act 2003 and counselling is within his or her scope of practice under that Act; or
- (b) recognised by the Accident Compensation Corporation as a counsellor for the purposes of the Accident Compensation Act 2001.

8 Speech therapists

A person who is a speech therapist is a treatment provider if the person is a member of the New Zealand Speech-Language Therapists' Association Incorporated.

Paired organs

9 Paired organs

The following organs are paired organs for the purposes of section 20 of the Act:

- (a) adrenal glands:
- (b) breasts:
- (c) ears:
- (d) eyes:
- (e) kidneys:
- (f) lungs:
- (g) ovaries:
- (h) testicles.

Illnesses and conditions conclusively presumed to be service-related

10 Conclusively presumed illnesses and conditions

Regulations 11 to 14 provide that certain illnesses and conditions in relation to certain events or deployments are to be treated as service-related for the purpose of section 21 of the Act.

11 World War II prisoners of war

- (1) This regulation applies to a veteran if the veteran was a prisoner of war at any time during World War II.
- (2) If the veteran suffers from an illness or a condition described in subclause (3), the illness or condition must be treated as service-related.
- (3) The illnesses and conditions are—
 - (a) any of the anxiety states:
 - (b) beriberi:
 - (c) chronic dysentery:
 - (d) cirrhosis of the liver:
 - (e) dysthymia:
 - (f) heart disease or hypertensive vascular disease, including complications:
 - (g) helminthiasis (intestinal vermiform parasites):
 - (h) hypovitaminosis:
 - (i) irritable bowel syndrome:

- (j) malnutrition (including optic atrophy):
- (k) organic residuals of frostbite:
- (l) peptic ulcer disease:
- (m) pellagra and any other nutritional deficiencies:
- (n) peripheral neuropathy:
- (o) post-traumatic osteoarthritis:
- (p) psychosis:
- (q) stroke and residuals of stroke.

12 Exposure to nuclear radiation

- (1) This regulation applies to a veteran if the veteran served—
 - (a) with J Force in Japan at any time during the years 1946 to 1952; or
 - (b) on HMNZS Pukaki or HMNZS Rotoiti at any time during the years 1957 and 1958; or
 - (c) on HMNZS Otago on 22 July 1973; or
 - (d) on HMNZS Canterbury on 28 July 1973.
- (2) If the veteran suffers from an illness or a condition described in subclause (3), the illness or condition must be treated as service-related.
- (3) The illnesses and conditions are—
 - (a) all forms of leukaemia (except for chronic lymphocytic leukaemia):
 - (b) bronchioloalveolar carcinoma:
 - (c) cancer of the thyroid, breast, pharynx, oesophagus, stomach, small intestine, pancreas, bile ducts, gall bladder, salivary gland, urinary tract (renal, ureter, urinary bladder, or urethra), brain, bone, lung, colon, or ovary:
 - (d) lymphomas (other than Hodgkin's disease):
 - (e) multiple myeloma:
 - (f) primary liver cancer (except if cirrhosis or hepatitis B is indicated).

13 Vietnam

- (1) This regulation applies to a veteran if the veteran served in Vietnam—
 - (a) at any time during the period beginning on 29 May 1964 and ending on the close of 31 December 1972; or

- (b) with 41 Squadron RNZAF at any time during the period beginning on 1 January 1973 and ending on the close of 21 April 1975; or
 - (c) as a member of the civilian surgical team at Qui Nhon Provincial State Hospital, Binh Dinh province at any time during the period beginning on 1 December 1963 and ending on the close of 31 March 1975.
- (2) If the veteran suffers from an illness or a condition described in subclause (3), the illness or condition must be treated as service-related.
- (3) The illnesses and conditions are—
 - (a) acute and subacute peripheral neuropathy:
 - (b) AL-type primary amyloidosis:
 - (c) chloracne:
 - (d) chronic lymphocytic leukaemia (including hairy-cell leukaemia and any other chronic B-cell leukaemias):
 - (e) Hodgkin's disease:
 - (f) hypertension:
 - (g) ischaemic heart disease:
 - (h) multiple myeloma:
 - (i) non-Hodgkin's lymphoma:
 - (j) Parkinson's disease:
 - (k) porphyria cutanea tarda:
 - (l) prostate cancer:
 - (m) respiratory cancers (lung, bronchus, larynx, and trachea):
 - (n) soft tissue sarcoma:
 - (o) stroke:
 - (p) type 2 diabetes.

14 Gulf War

- (1) This regulation applies to a veteran if the veteran served in the Gulf War at any time during the period beginning on 20 December 1990 and ending on the close of 13 April 1991.
- (2) If the veteran suffers from an illness or a condition in subclause (3), the illness or condition must be treated as service-related.
- (3) The illnesses and conditions are—
 - (a) medically unexplained chronic multi-symptom illnesses—

- (i) that are defined by a cluster of signs or symptoms, such as—
 - (A) chronic fatigue syndrome;
 - (B) fibromyalgia;
 - (C) irritable bowel syndrome; and
 - (ii) that have existed for 6 months or more:
- (b) signs or symptoms of an undiagnosed illness that include fatigue, skin symptoms, headaches, muscle pain, joint pain, neurological symptoms, respiratory symptoms, sleep disturbance, gastro-intestinal symptoms, cardiovascular symptoms, weight loss, or menstrual disorders.

Statements of principles

15 Certain Australian statements of principles apply

- (1) The statements of principles described in Schedule 1 apply for the purposes of the Act.
- (2) The version of a statement of principles referred to in Schedule 1 in the column headed “**Reasonable hypothesis**” is to be applied if a veteran’s service-related injury, illness, condition, whole-person impairment, or death relates to qualifying operational service.
- (3) The version of a statement of principles referred to in Schedule 1 in the column headed “**Balance of probabilities**” is to be applied if a veteran’s service-related injury, illness, condition, whole-person impairment, or death relates to qualifying routine service.

Indexation of entitlements

16 Formula for indexation of certain entitlements under section 31 of Act

- (1) This regulation sets out the formula for the indexation of certain entitlements under section 31 of the Act.
- (2) The formula is as follows:

$$a \times \frac{b}{c}$$

where—

- a is the amount of the entitlement at the date of indexation, before the amount is adjusted
 - b is the CPI figure for the December quarter immediately prior to the date of indexation
 - c is the CPI figure for the December quarter prior to the quarter referred to in item b.
- (3) In subclause (2), **CPI**—
- (a) means the Consumers Price Index (All Groups) published by Statistics New Zealand; but
 - (b) except in relation to adjustments to retirement lump sums payable under section 149 of the Act, does not include index numbers of the CPI for cigarettes and other tobacco products.
- (4) For the purposes of applying the formula in subclause (2),—
- (a) the number resulting from dividing item b by item c must be rounded up or down to 4 decimal places (with 0.00005 or greater being rounded up):
 - (b) the result must be rounded to the nearest cent as follows:
 - (i) an amount of less than 0.5 cents must be rounded down:
 - (ii) an amount of 0.5 cents or more than 0.5 cents must be rounded up.
- (5) An entitlement that is adjusted by applying the formula takes effect on and from 1 April after the December quarter referred to in item b in subclause (2).
- (6) However, no entitlement is to be adjusted if the application of the formula produces a negative figure.

Part 2

Regulations relating to Part 3 of Act

Rate of disablement pension

17 Rate of disablement pension

- (1) The rate of a veteran's disablement pension payable under section 56 of the Act is to be determined according to the level of the veteran's whole-person impairment.
- (2) The rates of the disablement pension are set out in Schedule 2.

- (3) A veteran's level of whole-person impairment in the first column of Schedule 2 is to be determined in accordance with the American Medical Association *Guides to the Evaluation of Permanent Impairment* (4th ed).
- (4) To avoid doubt, the level of whole-person impairment of a veteran who is applying for a disablement pension under clause 6(2) of Schedule 1 of the Act is to be assessed in accordance with the American Medical Association *Guides to the Evaluation of Permanent Impairment* (4th ed).

Surviving spouse or partner pension

18 Rate of surviving spouse or partner pension

The rate of the surviving spouse or partner pension payable under section 66 of the Act is \$160.04 per week.

Children's pension

19 Rate of children's pension

The rate of the children's pension payable under section 72 of the Act is \$171.38 per week.

Dependant's pension

20 Maximum rate of dependant's pension

The maximum rate of a dependant's pension payable under section 76 of the Act is \$160.04 per week.

21 VANZ to take into account dependant's economic position in determining actual rate

- (1) Regulations 22 to 25 specify the criteria that VANZ must take into account in assessing a dependant's economic position for the purpose of determining the rate of a dependant's pension payable to the dependant.
- (2) If, at any time, VANZ has reason to believe that a dependant's economic position has changed, VANZ may reassess the dependant's economic position in order to determine the appropriate rate payable to the dependant.

22 Rate of dependant's pension

- (1) If a dependant's weekly income is equal to or less than 50% of the maximum rate, the pension payable to the dependant is the maximum rate.
- (2) If a dependant's weekly income is more than 50% of the maximum rate, the pension payable to the dependant is the maximum rate minus \$1 for every \$1 of income that exceeds 50% of the maximum rate.
- (3) For the purposes of this regulation, a **dependant's weekly income** is the amount equivalent to the dependant's income (inclusive of any income tax) during the preceding 12-month period divided by 52.

23 Dependant's income

- (1) For the purposes of regulation 22(3), a dependant's income includes—
 - (a) income received by the dependant:
 - (b) income received by the dependant's spouse or partner:
 - (c) any benefits paid to the dependant under the Social Security Act 1964:
 - (d) income derived from assets owned by the dependant:
 - (e) income derived from assets owned by the dependant's spouse or partner.
- (2) A dependant's income does not include—
 - (a) any assets received by the dependent, or the dependant's spouse or partner, that are defined as exempt assets, exempted from a means assessment, or declared not to be cash assets under a social security enactment:
 - (b) any income derived from assets of the type described in paragraph (a):
 - (c) any income that is exempted from a means assessment or declared not to be income under a social security enactment:
 - (d) the dependant's interest in a residential dwelling that is the dependant's principal residence:
 - (e) the dependant's interest in a car or similar vehicle for the dependant's own use.
- (3) In this regulation, unless the context otherwise requires,—

income has the meaning given by section 3(1) of the Social Security Act 1964

social security enactment means—

- (a) Schedule 27 of the Social Security Act 1964;
 - (b) the Social Security (Long-term Residential Care) Regulations 2005;
 - (c) the Social Security (Income and Cash Assets Exemptions) Regulations 2011;
 - (d) the Social Security (Temporary Additional Support) Regulations 2005.
- (4) For the purposes of this regulation, any reference in an enactment referred to in subclause (3) to the chief executive is to be read as a reference to VANZ.

24 Deprivation of assets and income

- (1) If VANZ is satisfied that a dependant, or the dependant's spouse or partner, has directly or indirectly deprived himself or herself of any assets or income, VANZ, in assessing the dependant's economic position, may treat the deprivation as if it had not occurred.
- (2) Subclause (1) does not apply if the deprivation occurred before the veteran for which the pension is payable—
 - (a) died; or
 - (b) became entitled to—
 - (i) a war disablement pension under Part 2 of the War Pensions Act 1954 in relation to disablement of 70% or more; or
 - (ii) a disablement pension under subpart 3 of Part 3 of the Act in relation to whole-person impairment of 52% or more.

25 How value of land to be determined

- (1) If an assessment of a dependant's economic position involves determining the value of land, the value is to be determined in accordance with regulations 9D and 9E of the Social Security (Long-term Residential Care) Regulations 2005.

- (2) For the purposes of subclause (1), regulations 9D and 9E of those regulations apply with all necessary modifications and as if references to the chief executive were references to VANZ.

Children's bursaries

26 Rates of children's bursaries

- (1) This regulation specifies the rates of children's bursaries payable under section 81 of the Act.
- (2) The children's bursary payable in respect of a child who, immediately before the commencement of Part 3 of the Act, was receiving a children's pension under section 40 of the War Pensions Act 1954 or who is the child of a veteran receiving a veteran's pension is—
- (a) \$905.75, if the child is undertaking full-time study at a secondary school:
 - (b) \$452.82, if the child is undertaking part-time study at a tertiary institution:
 - (c) \$1,074.78, if the child is undertaking full-time study at a tertiary institution.
- (3) The children's bursary payable to a child who is not described in subclause (2) is—
- (a) \$452.84, if the child is undertaking full-time study at a secondary school:
 - (b) \$226.41, if the child is undertaking part-time study at a tertiary institution:
 - (c) \$537.36, if the child is undertaking full-time study at a tertiary institution.
- (4) A children's bursary is paid annually in the year in which a child is entitled to the bursary.

Part 3

Regulations relating to Part 5 of Act

Weekly battery allowance

27 Entitlement to weekly battery allowance

A veteran is entitled to a weekly battery allowance if the veteran—

- (a) has a service-related hearing loss; and

- (b) is using a hearing aid that is approved by VANZ and that VANZ considers necessary and suitable for the veteran's service-related hearing loss; and
- (c) is not being—
 - (i) supplied with hearing aid batteries from anyone other than VANZ; or
 - (ii) provided with funding for hearing aid batteries from anyone other than VANZ.

28 Rate of weekly battery allowance

The rate of the weekly battery allowance for the purposes of section 145(b) of the Act is—

- (a) \$1.05, if a hearing aid is required for only 1 ear;
- (b) \$2.13, if a hearing aid is required for each ear.

Motor vehicle grants

29 Interpretation

- (1) In regulations 30 and 31,—

severe lower body mobility impairment means a service-related impairment due to—

- (a) amputation of a lower limb; or
- (b) severe and permanent loss of function of the lower extremity affecting mobility

total lower body mobility impairment means a service-related impairment due to—

- (a) paraplegia; or
- (b) amputation of both lower limbs; or
- (c) total or near-total permanent loss of function of the lower extremity affecting mobility.

- (2) For the purposes of subclause (1), **lower extremity** means that part of the body from both hips (including the pelvis) to the toes of both feet.

30 Maximum amount of grant

The maximum amount of a motor vehicle grant under section 147 of the Act is—

- (a) \$8,361.87, in the case of severe lower body mobility impairment:

- (b) \$18,580.73, in the case of total lower body mobility impairment.

31 Frequency of grants

- (1) A motor vehicle grant in relation to severe lower body mobility impairment may be made to a veteran only once.
- (2) A motor vehicle grant in relation to total lower body mobility impairment may be made more than once, but only at intervals of not less than 5 years.

32 Additional grant for fitting controls

A veteran who receives a motor vehicle grant may also apply for an additional grant, up to a maximum of \$3,000, for the purpose of fitting special driving controls to a vehicle without which the veteran would be unable to drive the vehicle.

33 Criteria for determining whether to make grant

The matters to be taken into account in determining whether to make a grant or an additional grant in relation to a motor vehicle are—

- (a) the nature and extent of a veteran's lower body impairment; and
- (b) the veteran's need for a motor vehicle or for the special controls; and
- (c) the suitability of the motor vehicle or the special controls for the veteran's impairment and needs; and
- (d) the cost and condition of the motor vehicle or the special controls; and
- (e) whether the veteran will be able to drive the vehicle safely; and
- (f) whether the veteran will be legally permitted to drive the motor vehicle in the country in which the veteran intends to operate the vehicle (including whether the veteran holds or will be able to hold a valid driver's licence); and
- (g) whether the motor vehicle or the special controls will comply with or be exempted from any applicable laws for operation of a motor vehicle in the country in which

- the veteran intends to operate that vehicle, such as vehicle registration and warrant of fitness; and
- (h) whether the veteran has or is able to obtain comprehensive motor vehicle insurance for the motor vehicle; and
 - (i) if the motor vehicle is a mobility scooter or similar vehicle, whether the veteran has a medical certificate that indicates the veteran is capable of operating the vehicle; and
 - (j) whether the veteran has received any previous assistance from VANZ, including (but not limited to) a motor vehicle loan under the War Pensions Act 1954, and how long ago that assistance was received; and
 - (k) whether the veteran has received any money from the sale of a motor vehicle, or any part of a motor vehicle, that VANZ has previously helped purchase (and, if so, the amount received).

Retirement lump sums

34 Amount of retirement lump sum

The retirement lump sum under section 149 of the Act is \$33,000.

35 Asset threshold for non-exempt assets

- (1) This regulation specifies the asset threshold for non-exempt assets for the purposes of section 149 of the Act, being the threshold at or above which a veteran does not qualify for a retirement lump sum under that section.
- (2) The asset threshold for a veteran who does not have a spouse or partner is \$500,000, including the value of a residential dwelling and a vehicle.
- (3) A veteran who has a spouse or partner may elect one of the following asset thresholds:
 - (a) \$300,000, excluding the value of a residential dwelling and a vehicle:
 - (b) \$500,000, including the value of a residential dwelling and a vehicle.

36 Assets to be included in asset assessment

- (1) Assets to be included in an asset assessment under section 150 of the Act are the assets of the veteran and his or her spouse or partner (if any) that would come within the definition of assets in clause 4 of Schedule 27 of the Social Security Act 1964 (if the veteran were a person being means assessed under section 146 of that Act).
- (2) However, assets that are exempt assets and gifts that are allowable gifts are not included in an asset assessment.
- (3) For the purposes of subclause (2),—
 - (a) an asset is an **exempt asset** if it would be an exempt asset under—
 - (i) clause 4 of Schedule 27 of the Social Security Act 1964; or
 - (ii) regulation 10 of the Social Security (Long-term Residential Care) Regulations 2005:
 - (b) a gift is an **allowable gift** if the gift would be or would be treated as an allowable gift under regulations 9 and 9A of the Social Security (Long-term Residential Care) Regulations 2005.

37 Deprivation of assets

- (1) If VANZ is satisfied that a veteran or his or her spouse or partner (if any) has directly or indirectly deprived himself or herself of any assets (other than exempt assets), the veteran's asset assessment under section 150 of the Act may be conducted as if the deprivation had not occurred.
- (2) For the purposes of subclause (1), instances of deprivation of assets include, but are not limited to, the instances described in regulation 9B(a) to (f) of the Social Security (Long-term Residential Care) Regulations 2005.

38 Gifting period

For the purposes of clauses 36 and 37, a reference to the gifting period in clause 4 of Schedule 27 of the Social Security Act 1964 and in regulations 9 to 9B of the Social Security (Long-term Residential Care) Regulations 2005 is to be read as the period of 5 years immediately preceding the date on which the

veteran reached the New Zealand superannuation qualification age.

39 How value of land to be determined

- (1) If an asset assessment under section 150 of the Act involves determining the value of land, the value is to be determined in accordance with regulations 9D and 9E of the Social Security (Long-term Residential Care) Regulations 2005.
- (2) For the purposes of subclause (1), regulations 9D and 9E of those regulations apply with all necessary modifications and as if references to the chief executive were references to VANZ.

Funeral expenses

40 Funeral expenses

For the purposes of sections 153 and 154 of the Act, the maximum amount payable in relation to expenses of a funeral and burial or cremation of a veteran is \$2,442.96.

41 Cost of transport of veteran's body

For the purposes of section 153(5) of the Act, the maximum amount payable for transporting a veteran's body from the hospital in which he or she died to the place of the veteran's burial or cremation is—

- (a) \$650, if the place is within the locality of the hospital;
- (b) \$1,300, if the place is outside the locality of the hospital.

Part 4

Regulations relating to Part 6 of Act

Rates of veteran's pension

42 Rates of veteran's pension

- (1) This regulation specifies the rates of veteran's pension payable under Part 6 of the Act (subject to any abatement under section 171 of the Act).
- (2) The single living alone rate is \$421.76 per week.
- (3) The single sharing accommodation rate is \$387.58 per week.
- (4) The relationship rate is \$319.23 per week.

- (5) The relationship (partner not receiving superannuation or pension) rate is \$604.54 per week.
- (6) The relationship (partner not receiving superannuation or pension) legacy rate is \$638.46 per week.

Lump sum payment on death

43 Lump sum payment on death of veteran

- (1) This regulation specifies the amount payable under section 174(2) of the Act on the death of—
 - (a) a veteran to whom section 162(1) of the Act applies and who, on the date of death,—
 - (i) is ordinarily resident in New Zealand; and
 - (ii) is receiving a veteran's pension; or
 - (b) a veteran who, on the date of death,—
 - (i) is ordinarily resident in New Zealand; and
 - (ii) is receiving a veteran's pension under section 164 of the Act.
- (2) The amount is \$5,791.47.
- (3) However, if the veteran was, before 1 April 1990, receiving a war veteran's allowance under the War Pensions Act 1954, the amount is \$14,602.73.

44 Lump sum payment on death of spouse or partner of veteran

- (1) This regulation specifies the amount payable under section 174(4) of the Act on the death of the spouse or partner of a veteran if, on the date of death, the spouse or partner—
 - (a) is ordinarily resident in New Zealand; and
 - (b) is receiving a veteran's pension under section 162(2) of the Act.
- (2) The amount is \$4,416.16.

Part 5

Regulations relating to Part 7 of Act

45 Procedure for appeals against review decisions

Regulations 46 to 53 prescribe the procedure relating to appeals against review decisions for the purposes of subpart 2 of Part 7 of the Act.

46 Interpretation

In this Part, unless the context otherwise requires,—

evidence means any evidence or information, whether or not that evidence or information would be admissible in a court of law

party—

- (a) means a party to an appeal; and
- (b) includes VANZ.

47 VANZ must advise applicant of right to appeal

VANZ must, when notifying the outcome of a review decision to the person who applied for the review, advise the person—

- (a) of the right to appeal the review decision; and
- (b) of the time limit for bringing an appeal; and
- (c) that the person can obtain the form of the notice of appeal directly from VANZ or from VANZ's Internet site.

48 Notice of appeal

- (1) The notice of appeal must be made in writing and in the form provided by VANZ for the purpose.
- (2) The notice of appeal must specify—
 - (a) the review decision under appeal; and
 - (b) the grounds for the appeal.
- (3) The notice of appeal must contain the following information:
 - (a) the full name of the veteran or other claimant; and
 - (b) a postal, physical, or electronic address to which information and notices concerning the appeal can be delivered to the appellant; and
 - (c) whether the veteran or other claimant proposes to attend the hearing; and

- (d) any other information required by the form provided by VANZ for the purpose.
- (4) The form provided by VANZ may require the appellant to specify any evidence on which the appellant intends to rely for the appeal.

49 Notice of hearing

- (1) The appeal board must set a date and location for the hearing of an appeal.
- (2) Not later than 20 working days before the hearing date, the appeal board must notify the parties of the hearing date and location of the hearing.

50 Case management conferences and directions

- (1) The appeal board may hold a case management conference at any time.
- (2) If the appeal board considers that it will secure the just, speedy, and inexpensive determination of an appeal, or it is otherwise in the interests of justice, the appeal board may give a direction in relation to the management of the case.
- (3) A direction under subclause (2) may be given on the appeal board's own initiative, or on the application of a party.

51 Evidence

- (1) Each party must, not later than 10 working days before the hearing date, provide all evidence on which that party wishes to rely at the hearing to the other party.
- (2) However, a party may provide further evidence at a later date in accordance with a direction given by the appeal board under regulation 50(2).
- (3) After determining an appeal, the appeal board must return all evidence provided to it by the veteran or other claimant, if the veteran or other claimant so requires.
- (4) To avoid doubt, VANZ may keep copies of any evidence provided to it.

52 Appellant not giving oral evidence

- (1) This regulation applies if the appellant does not provide oral evidence (whether by attending the hearing or remotely by electronic means).
- (2) If the appeal board decides that it cannot determine the appeal without hearing oral evidence from the appellant, the appeal is to be treated as having lapsed, but the appeal board may (on the application of the appellant) revive the appeal.
- (3) If the appeal board decides that it can determine the appeal without hearing oral evidence from the appellant, the appeal board may proceed to determine the appeal.
- (4) The appeal board must not make a decision under subclause (2) or (3) unless it has given the appellant—
 - (a) prior notice that it is considering making the decision; and
 - (b) a reasonable opportunity to respond.

53 Appeal may continue on death of veteran or other claimant

If a veteran or other claimant dies before his or her appeal has been determined, the appeal may be continued by his or her personal representative or by any other suitable person.

Part 6 Regulations relating to Part 8 of Act

Procedure of Veterans' Advisory Board and Veterans' Health Advisory Panel

54 Interpretation

- (1) In this Part, unless the context otherwise requires,—

advisory body means the Veterans' Advisory Board or the Veterans' Health Advisory Panel

chairperson—

 - (a) means the chairperson of an advisory body; and
 - (b) includes the acting chairperson of an advisory body, if one has been appointed under section 248(4) or 255(5) of the Act (as applicable)

deputy chairperson means the deputy chairperson of an advisory body

matter means an advisory body's performance of its functions or exercise of its powers

member—

- (a) means a member of an advisory body; and
 - (b) includes the chairperson and the deputy chairperson of the advisory body.
- (2) In this Part, a member is **interested** in a matter if he or she—
- (a) may derive a financial benefit from the matter; or
 - (b) is the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
 - (c) may have a financial interest in a person to whom the matter relates; or
 - (d) is a partner, director, officer, board member, or trustee of a person who may have a financial interest in a person to whom the matter relates; or
 - (e) is otherwise directly or indirectly interested in the matter.
- (3) However, a member is not interested in a matter—
- (a) only because he or she receives an entitlement under the Act; or
 - (b) if his or her interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence him or her in carrying out his or her responsibilities under the Act; or
 - (c) only because he or she has past or current involvement in the defence sector, in medical research, or in veterans' matters.

Meetings

55 Notice of meetings

- (1) An advisory body or the chairperson (or, if there is no chairperson or the chairperson is unavailable, the deputy chairperson) must appoint the times and places of ordinary meetings of the advisory body, and VANZ must give written notice of those meetings to each member.

- (2) Notice of a meeting—
 - (a) must state the time and place of the meeting; and
 - (b) must be sent to each member's current postal or electronic address.
- (3) An irregularity in the notice of a meeting is waived if all members entitled to receive the notice—
 - (a) attend the meeting without protesting about the irregularity; or
 - (b) do not attend the meeting, but agree before the meeting is held to waive the irregularity.

Compare: 2004 No 115 Schedule 5 cl 7

56 Methods of holding meetings

A meeting of an advisory body may be held—

- (a) by a quorum of members being assembled together at the time and place appointed for the meeting; or
- (b) by means of audio, audiovisual, or electronic communication if—
 - (i) all of the members who wish to participate in the meeting have access to the technology needed to participate in the meeting; and
 - (ii) a quorum of members can simultaneously communicate with each other throughout the meeting.

Compare: 2004 No 115 Schedule 5 cl 8

57 Unanimous written resolutions

A resolution signed or assented to in writing (whether by post, delivery, or electronic communication) by all members who are entitled to vote on the matter is as valid and effectual as if it had been passed unanimously at a meeting of the advisory body duly called and constituted.

Compare: 2004 No 115 Schedule 5 cl 13

Disclosure of interests

58 Obligation to disclose interest

- (1) A member who is interested in a matter relating to an advisory body must disclose details of the interest in accordance with

regulation 59 as soon as practicable after the member becomes aware that he or she is interested.

- (2) A general notice of an interest in a matter relating to an advisory body, or in a matter that may in future relate to an advisory body, that is disclosed in accordance with regulation 59 is a standing disclosure of that interest for the purposes of this regulation.
- (3) A standing disclosure ceases to have effect if the nature of the interest materially alters or the extent of the interest materially increases.

Compare: 2004 No 115 s 63

59 Who disclosure of interests must be made to

The member must disclose details of the interest in an interests register kept by VANZ and to—

- (a) the chairperson or, if there is no chairperson or if the chairperson is unavailable or interested, the deputy chairperson; or
- (b) the Minister, if there is neither a chairperson nor a deputy chairperson, or if both the chairperson and the deputy chairperson are unavailable or interested.

Compare: 2004 No 115 s 64

60 What must be disclosed

The details that must be disclosed under regulation 59 are—

- (a) the nature of the interest and the monetary value of the interest (if the monetary value can be quantified); or
- (b) the nature and extent of the interest (if the monetary value cannot be quantified).

Compare: 2004 No 115 s 65

61 Consequences of being interested in matter

- (1) A member who is interested in a matter relating to an advisory body—
 - (a) must not vote or take part in any discussion of the advisory body in relation to the matter, or otherwise participate in any activity of the advisory body in relation to the matter; and

- (b) must not take part in any decision of the advisory body in relation to the matter or sign or otherwise endorse any document containing the advisory body's advice, comments, or decisions relating to the matter; and
 - (c) is to be disregarded for the purpose of forming a quorum for that part of a meeting of the advisory body during which a discussion or decision relating to the matter occurs or is made.
- (2) This regulation is subject to regulation 63.
Compare: 2004 No 115 s 66

62 Consequences of failing to disclose interest

The advisory body must notify the Minister of a failure to comply with regulation 58 or 61, and of the affected matters or acts, as soon as practicable after becoming aware of the failure.

Compare: 2004 No 115 s 67

63 Permission to act despite being interested in matter

- (1) The chairperson may, by prior written notice to the advisory body or by a ruling during a meeting, permit 1 or more members, or members with a specified class of interest, to take part in any discussion (but not in any decision) of the advisory body in relation to the matter to which the interest relates if the chairperson is satisfied that it is in the public interest to do so.
- (2) The permission may state conditions that the member or members must comply with.
- (3) The deputy chairperson may give the permission if there is no chairperson or if the chairperson is unavailable or interested.
- (4) The Minister may give the permission if there is neither a chairperson nor a deputy chairperson, or if both the chairperson and the deputy chairperson are unavailable or interested.
- (5) A permission may be amended or revoked in the same way as it was given.
- (6) The advisory body must disclose an interest to which a permission relates in every document to which the interest relates, together with a statement of who gave the permission and any conditions of, amendments to, or revocation of the permission.

Compare: 2004 No 115 s 68

Part 7
Regulations relating to Part 9 of Act

Treatment cards

64 Issue of treatment card

VANZ may issue a treatment card to a veteran if the veteran has an injury, illness, or condition—

- (a) that is service-related; and
- (b) for which VANZ will pay or contribute towards the cost of treatment.

65 Information to be included on treatment card

A treatment card issued to a veteran must include the following information:

- (a) the veteran's—
 - (i) full name; and
 - (ii) VANZ reference number; and
 - (iii) Defence Force number (if applicable); and
 - (iv) national health index number:
- (b) the card's date of issue:
- (c) the card's date of expiry (if issued for a limited period):
- (d) a description of the injuries, illnesses, or conditions that the veteran has and for which VANZ will pay or contribute towards the cost of treatment:
- (e) how to contact VANZ:
- (f) a statement to the effect that—
 - (i) VANZ will pay or contribute towards (whichever is applicable) the cost of treatment of the service-related injuries, illnesses, or conditions described on the card; but
 - (ii) VANZ will not pay or contribute towards the cost of specialist treatment unless VANZ has given its prior approval.

66 Obligations of treatment card holders

A veteran to whom a treatment card is issued must—

- (a) use the card only as evidence of the service-related injuries, illnesses, or conditions described on the card that

the veteran has and for which VANZ will pay or contribute towards the cost of treatment; and

- (b) comply with the conditions specified in regulation 67; and
- (c) comply with all other requirements and restrictions relating to the use of treatment cards specified in regulations 68 and 69.

67 Conditions of use

- (1) If a veteran's treatment card is lost, stolen, or destroyed, the veteran must (as soon as possible after becoming aware that this has happened) tell VANZ that his or her treatment card has been lost, stolen, or destroyed.
- (2) A veteran must return his or her treatment card to VANZ as soon as possible if—
 - (a) the treatment card is damaged; or
 - (b) VANZ has requested (in writing) the veteran to return the card to VANZ.
- (3) A veteran must not add to, amend, or remove any information recorded on a treatment card.
- (4) A veteran must comply with any other requirement that—
 - (a) is notified in writing by VANZ to the veteran; and
 - (b) is reasonably necessary for the use of the treatment card or treatment cards generally.

68 Unauthorised uses of treatment card

- (1) A treatment card must not—
 - (a) be used for any dishonest or improper purpose; or
 - (b) be used after a veteran has received a notice in writing from VANZ recalling or cancelling the treatment card; or
 - (c) be given, lent, or sold to another person.
- (2) However, subclause (1)(c) does not apply if a treatment card is given to another person to obtain, on behalf of a veteran, a service to which the veteran is entitled.

69 Recall of treatment card

VANZ may require a veteran to return a treatment card if—

- (a) the information on the card needs to be changed; or
- (b) the veteran is no longer entitled to the card; or
- (c) VANZ considers, on reasonable grounds, that the veteran—
 - (i) has not complied with the conditions relating to the use of the card; or
 - (ii) has used the card for an unauthorised purpose.

70 Cancellation of treatment card

- (1) VANZ may cancel a veteran's treatment card by notice in writing to the veteran if VANZ considers, on reasonable grounds, that—
 - (a) the veteran is not entitled to the treatment card; or
 - (b) the veteran has asked VANZ to cancel the treatment card; or
 - (c) the veteran has, without good reason, refused to return the card after VANZ has requested its return; or
 - (d) the veteran has not complied with the conditions relating to the use of the card; or
 - (e) the veteran has used the card for an unauthorised purpose.
- (2) VANZ may not cancel a treatment card under subclause (1)(a), (c), (d), or (e) unless it has—
 - (a) given the veteran notice in writing—
 - (i) that it proposes to cancel the card; and
 - (ii) of the grounds for the proposed cancellation; and
 - (b) given the veteran a reasonable opportunity to provide VANZ with any reasons why it should not cancel the card; and
 - (c) carefully considered any reasons provided under paragraph (b).

Part 8 Revocations

71 Legislative instruments revoked

- (1) The following legislative instruments are revoked:
 - (a) War Pensions (Rates of Pensions, Lump Sum Payments, and Allowances) Order 2014 (LI 2014/60); and

- (b) War Pensions Regulations 1956 (SR 1956/7).
- (2) To avoid doubt, subclause (1) does not affect any provision of Schedule 1 of the Act that preserves or continues any rights or entitlements of any person under the legislative instruments specified in subclause (1).

Schedule 1
Australian statements of principles that
apply for purposes of Act

r 15

| Condition | Number | |
|-------------------------------------|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| accidental hypothermia | 17/2010 | 18/2010 |
| accommodation disorder | 5/2009 | 6/2009 |
| Achilles tendinopathy and bursitis | 37/2007 | 38/2007 |
| acoustic neuroma | 29/2011 | 30/2011 |
| acquired cataract | 39/2008 | 40/2008 |
| acute articular cartilage tear | 53/2010 | 54/2010 |
| acute infectious mononucleosis | 3/2012 | 4/2012 |
| acute lymphoblastic leukaemia | 75/2012 | 76/2012 |
| acute meniscal tear of the knee | 55/2010 | 56/2010 |
| acute myeloid leukaemia | 35/2006 | 36/2006 |
| acute pancreatitis | 85/2011 | 86/2011 |
| acute rheumatic fever | 23/2011 | 24/2011 |
| acute stress disorder | 41/2014 | 42/2014 |
| adenocarcinoma of the kidney | 9/2013 | 10/2013 |
| adhesive capsulitis of the shoulder | 7/2012 | 8/2012 |
| adjustment disorder | 37/2008 | 38/2008 |
| adrenal insufficiency | 74/2009 | 75/2009 |
| albinism | 45/2007 | 46/2007 |
| alcohol use disorder | 1/2009 | 2/2009 |
| alkaptonuria | 47/2007 | 48/2007 |
| allergic contact dermatitis | 112/2011 | 113/2011 |
| allergic rhinitis | 22/2014 | 23/2014 |

| Condition | Number | |
|---|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| alpha-1 antitrypsin deficiency | 01/2007 | 02/2007 |
| Alzheimer-type dementia | 22/2010 | 23/2010 |
| anal fissure | 73/2010 | 74/2010 |
| analgesic nephropathy | 29/2008 | 30/2008 |
| angle-closure glaucoma | 25/2012 | 26/2012 |
| animal envenomation | 66/2008 | 67/2008 |
| ankylosing spondylitis | 3/2013 | 4/2013 |
| anosmia | 118/2011 | 119/2011 |
| anxiety disorder | 101/2007 | 102/2007 |
| aortic aneurysm | 9/2012 | 10/2012 |
| aortic stenosis | 21/2013 | 22/2013 |
| aplastic anaemia | 50/2012 | 51/2012 |
| asbestosis | 55/2013 | 56/2013 |
| ascariasis | 62/2008 | 63/2008 |
| asthma | 60/2012 | 61/2012 |
| atherosclerotic peripheral vascular disease | 23/2012 | 24/2012 |
| atrial fibrillation and atrial flutter | 49/2014 | 50/2014 |
| autosomal dominant polycystic kidney disease | 55/2007 | 56/2007 |
| benign neoplasm of the eye and adnexa | 33/2008 | 34/2008 |
| benign prostatic hyperplasia | 19/2008 | 20/2008 |
| bipolar disorder | 27/2009 | 28/2009 |
| blepharitis | 63/2010 | 64/2010 |
| bronchiectasis | 17/2009 | 18/2009 |
| bronchiolitis obliterans organising pneumonia | 62/2009 | 63/2009 |
| cardiac myxoma | 11/2009 | 12/2009 |
| cardiomyopathy | 23/2007 | 24/2007 |
| carotid arterial disease | 37/2012 | 38/2012 |
| carpal tunnel syndrome | 7/2013 | 8/2013 |
| cerebral meningioma | 19/2009 | 20/2009 |
| cerebrovascular accident | 51/2006 | 52/2006 |
| cervical spondylosis | 66/2014 | 67/2014 |

| Condition | Number | |
|--|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| Charcot-Marie-Tooth disease | 09/2007 | 10/2007 |
| chicken pox | 25/2007 | 26/2007 |
| chilblains | 9/2009 | 10/2009 |
| chloracne | 17/2012 | 18/2012 |
| cholelithiasis | 7/2008 | 8/2008 |
| chondromalacia patella | 79/2010 | 80/2010 |
| chronic fatigue syndrome | 11/2014 | 12/2014 |
| chronic gastritis and chronic gastropathy | 25/2013 | 26/2013 |
| chronic lymphocytic leukaemia/small lymphocytic lymphoma | 84/2014 | 85/2014 |
| chronic multisymptom illness | 55/2014 | 56/2014 |
| chronic myeloid leukaemia | 47/2014 | 48/2014 |
| chronic obstructive pulmonary disease | 37/2014 | 38/2014 |
| chronic pancreatitis | 104/2011 | 105/2011 |
| chronic pruritus ani | 75/2010 | 76/2010 |
| chronic solvent encephalopathy | 71/2013 | 72/2013 |
| chronic venous insufficiency of the lower limb | 29/2012 | 30/2012 |
| cirrhosis of the liver | 107/2007 | 108/2007 |
| clonorchiasis | 113/2007 | 114/2007 |
| cluster headache | 20/2010 | 21/2010 |
| coeliac disease | 1/2011 | 2/2011 |
| colorectal adenoma | 35/2013 | 36/2013 |
| concussion | 64/2012 | 65/2012 |
| conductive hearing loss | 7/2011 | 8/2011 |
| congenital cataract | 49/2007 | 50/2007 |
| conjunctivitis | 1/2012 | 2/2012 |
| Creutzfeldt-Jakob disease | 76/2014 | 77/2014 |
| Cushing's syndrome | 33/2009 | 34/2009 |
| cut, stab, abrasion and laceration | 3/2008 | 4/2008 |
| decompression sickness | 43/2006 | 44/2006 |
| deep vein thrombosis | 54/2012 | 55/2012 |
| dementia pugilistica | 11/2012 | 12/2012 |

| Condition | Number | |
|--------------------------------------|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| dengue fever | 13/2012 | 14/2012 |
| dental caries | 71/2007 | 72/2007 |
| dental malocclusion | 17/2011 | 18/2011 |
| dental pulp and apical disease | 3/2014 | 4/2014 |
| depressive disorder | 27/2008 | 28/2008 |
| dermatomyositis | 9/2014 | 10/2014 |
| diabetes mellitus | 89/2011 | 90/2011 |
| dislocation | 24/2010 | 25/2010 |
| diverticular disease of the colon | 13/2008 | 14/2008 |
| Dupuytren's disease | 57/2010 | 58/2010 |
| dysbaric osteonecrosis | 47/2006 | 48/2006 |
| eating disorder | 47/2008 | 48/2008 |
| electrical injury | 31/2009 | 32/2009 |
| endometriosis | 41/2012 | 42/2012 |
| epicondylitis | 52/2004 | 53/2004 |
| epilepsy | 75/2013 | 76/2013 |
| epileptic seizure | 77/2013 | 78/2013 |
| erectile dysfunction | 43/2013 | 44/2013 |
| essential thrombocythaemia | 15/2013 | 16/2013 |
| external bruise | 109/2007 | 110/2007 |
| external burn | 41/2006 | 42/2006 |
| extrinsic allergic alveolitis | 87/2011 | 88/2011 |
| familial adenomatous polyposis | 39/2013 | 40/2013 |
| familial hypertrophic cardiomyopathy | 35/2007 | 36/2007 |
| fibromuscular dysplasia | 60/2008 | 61/2008 |
| fibromyalgia | 13/2014 | 14/2014 |
| fibrosing interstitial lung disease | 53/2013 | 54/2013 |
| fracture | 53/2006 | 54/2006 |
| frostbite | 23/2009 | 24/2009 |
| gastric ulcer and duodenal ulcer | 57/2006 | 58/2006 |
| gastro-oesophageal reflux disease | 65/2013 | 66/2013 |
| Gaucher's disease | 03/2007 | 04/2007 |
| giant cell arteritis | 71/2012 | 72/2012 |

| Condition | Number | |
|--|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| gingivitis | 45/2013 | 46/2013 |
| goitre | 23/2013 | 24/2013 |
| gout | 30/2010 | 31/2010 |
| Graves' disease | 33/2013 | 34/2013 |
| Guillain-Barre syndrome | 59/2013 | 60/2013 |
| haemochromatosis | 21/2012 | 22/2012 |
| haemophilia | 63/2007 | 64/2007 |
| haemorrhoids | 41/2008 | 42/2008 |
| hallux valgus | 91/2007 | 92/2007 |
| Hashimoto's thyroiditis | 31/2013 | 32/2013 |
| heart block | 1/2014 | 2/2014 |
| heel bursitis | 77/2010 | 78/2010 |
| hepatitis A | 29/2007 | 30/2007 |
| hepatitis B | 52/2008 | 53/2008 |
| hepatitis C | 54/2008 | 55/2008 |
| hepatitis D | 56/2008 | 57/2008 |
| hepatitis E | 31/2007 | 32/2007 |
| hereditary spherocytosis | 13/2007 | 14/2007 |
| herpes simplex | 3/2010 | 4/2010 |
| herpes zoster | 27/2007 | 28/2007 |
| hiatus hernia | 68/2014 | 69/2014 |
| Hodgkin's lymphoma | 35/2014 | 36/2014 |
| hookworm disease | 64/2008 | 65/2008 |
| horseshoe kidney | 51/2007 | 52/2007 |
| human immunodeficiency virus | 5/2010 | 6/2010 |
| human T-cell lymphotropic virus type 1 | 7/2010 | 8/2010 |
| Huntington's chorea | 05/2007 | 06/2007 |
| hypertension | 63/2013 | 64/2013 |
| hyperthyroidism and thyrotoxicosis | 27/2013 | 28/2013 |
| hypopituitarism | 76/2009 | 77/2009 |
| hypothyroidism | 29/2013 | 30/2013 |
| iliotibial band syndrome | 34/2010 | 35/2010 |
| immersion foot | 25/2009 | 26/2009 |

| Condition | Number | |
|--|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| immune thrombocytopaenic purpura | 72/2008 | 73/2008 |
| inflammatory bowel disease | 19/2012 | 20/2012 |
| influenza | 58/2009 | 59/2009 |
| ingrowing nail | 93/2007 | 94/2007 |
| inguinal hernia | 5/2013 | 6/2013 |
| internal derangement of the knee | 51/2010 | 52/2010 |
| intervertebral disc prolapse | 39/2007 | 40/2007 |
| irritable bowel syndrome | 27/2011 | 28/2011 |
| irritant contact dermatitis | 110/2011 | 111/2011 |
| ischaemic heart disease | 89/2007 | 90/2007 |
| joint instability | 32/2010 | 33/2010 |
| Kaposi's sarcoma | 9/2011 | 10/2011 |
| labral tear | 94/2010 | 95/2010 |
| leptospirosis | 50/2004 | 51/2004 |
| lipoma | 97/2007 | 98/2007 |
| localised sclerosis | 66/2009 | 67/2009 |
| loss of teeth | 73/2007 | 74/2007 |
| lumbar spondylosis | 62/2014 | 63/2014 |
| macular degeneration | 13/2009 | 14/2009 |
| malaria | 60/2009 | 61/2009 |
| malignant melanoma of the skin | 79/2007 | 80/2007 |
| malignant neoplasm of bone and articular cartilage | 106/2011 | 107/2011 |
| malignant neoplasm of the anus and anal canal | 51/2013 | 52/2013 |
| malignant neoplasm of the bile duct | 21/2007 | 22/2007 |
| malignant neoplasm of the bladder | 96/2011 | 97/2011 |
| malignant neoplasm of the brain | 58/2008 | 59/2008 |
| malignant neoplasm of the breast | 27/2006 | 28/2006 |
| malignant neoplasm of the cerebral meninges | 21/2009 | 22/2009 |
| malignant neoplasm of the cervix | 39/2012 | 40/2012 |
| malignant neoplasm of the colorectum | 37/2013 | 38/2013 |
| malignant neoplasm of the endometrium | 99/2007 | 100/2007 |

| Condition | Number | |
|---|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| malignant neoplasm of the eye | 15/2010 | 16/2010 |
| malignant neoplasm of the gallbladder | 67/2007 | 68/2007 |
| malignant neoplasm of the larynx | 61/2013 | 62/2013 |
| malignant neoplasm of the liver | 21/2011 | 22/2011 |
| malignant neoplasm of the lung | 17/2006 | 18/2006 |
| malignant neoplasm of the nasopharynx | 25/2011 | 26/2011 |
| malignant neoplasm of the oesophagus | 41/2007 | 42/2007 |
| malignant neoplasm of the oral cavity, oropharynx and hypopharynx | 1/2013 | 2/2013 |
| malignant neoplasm of the ovary | 70/2009 | 71/2009 |
| malignant neoplasm of the pancreas | 73/2013 | 74/2013 |
| malignant neoplasm of the prostate | 53/2014 | 54/2014 |
| malignant neoplasm of the renal pelvis and ureter | 98/2011 | 99/2011 |
| malignant neoplasm of the salivary gland | 46/2004 | 47/2004 |
| malignant neoplasm of the small intestine | 40/2004 | 41/2004 |
| malignant neoplasm of the stomach | 58/2014 | 59/2014 |
| malignant neoplasm of the testis and paratesticular tissues | 15/2004 | 16/2004 |
| malignant neoplasm of the thyroid gland | 39/2014 | 40/2014 |
| malignant neoplasm of the urethra | 1/2008 | 2/2008 |
| malignant neoplasm of unknown primary site | 80/2014 | 81/2014 |
| Marfan syndrome | 53/2007 | 54/2007 |
| melioidosis | 60/2014 | 61/2014 |
| Meniere's disease | 59/2006 | 60/2006 |
| mesangial IgA glomerulonephritis | 52/2012 | 53/2012 |
| mesothelioma | 83/2007 | 84/2007 |
| methaemoglobinaemia | 47/2010 | 48/2010 |
| microscopic polyangiitis | 13/2011 | 14/2011 |
| migraine | 56/2009 | 57/2009 |
| mitral valve prolapse | 43/2014 | 44/2014 |
| moderate to severe traumatic brain injury | 62/2012 | 63/2012 |
| morbid obesity | 5/2014 | 6/2014 |

| Condition | Number | |
|---|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| Morton's metatarsalgia | 92/2010 | 93/2010 |
| motor neurone disease | 67/2013 | 68/2013 |
| multiple osteochondromatosis | 11/2007 | 12/2007 |
| multiple sclerosis | 100/2011 | 101/2011 |
| myasthenia gravis | 15/2007 | 16/2007 |
| myelodysplastic disorder | 37/2006 | 38/2006 |
| myeloma | 69/2012 | 70/2012 |
| myopia, hypermetropia and astigmatism | 69/2007 | 70/2007 |
| narcolepsy | 7/2014 | 8/2014 |
| neoplasm of the pituitary gland | 42/2004 | 43/2004 |
| non-aneurysmal aortic atherosclerotic disease | 15/2012 | 16/2012 |
| non-Hodgkin's lymphoma | 28/2010 | 29/2010 |
| non-melanotic malignant neoplasm of the skin | 81/2007 | 82/2007 |
| obstructive and reflux nephropathy | 31/2011 | 32/2011 |
| open-angle glaucoma | 27/2012 | 28/2012 |
| opisthorchiasis | 111/2007 | 112/2007 |
| osteoarthritis | 13/2010 | 14/2010 |
| osteogenesis imperfecta | 59/2007 | 60/2007 |
| osteomyelitis | 05/2004 | 06/2004 |
| osteoporosis | 29/2006 | 30/2006 |
| otitic barotrauma | 35/2012 | 36/2012 |
| otitis externa | 58/2012 | 59/2012 |
| otitis media | 51/2014 | 52/2014 |
| otosclerosis | 119/2007 | 120/2007 |
| Paget's disease of bone | 19/2006 | 20/2006 |
| panic disorder | 68/2009 | 69/2009 |
| Parkinson's disease and parkinsonism | 65/2007 | 66/2007 |
| patellar tendinopathy | 114/2011 | 115/2011 |
| periodic limb movement disorder | 26/2014 | 27/2014 |
| periodontal abscess | 49/2013 | 50/2013 |
| periodontitis | 47/2013 | 48/2013 |

| Condition | Number | |
|--|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| peripheral neuropathy | 74/2014 | 75/2014 |
| peritoneal adhesions | 103/2007 | 104/2007 |
| personality disorder | 70/2008 | 71/2008 |
| pes planus | 45/2012 | 46/2012 |
| photocontact dermatitis | 108/2011 | 109/2011 |
| physical injury due to munitions discharge | 48/2012 | 49/2012 |
| pilonidal sinus | 71/2010 | 72/2010 |
| pinguecula | 77/2007 | 78/2007 |
| plantar fasciitis | 19/2007 | 20/2007 |
| pleural plaque | 45/2014 | 46/2014 |
| poisoning and toxic reaction from plants and fungi | 84/2010 | 85/2010 |
| polyarteritis nodosa | 11/2011 | 12/2011 |
| polycythaemia vera | 11/2013 | 12/2013 |
| polymyalgia rheumatica | 23/2008 | 24/2008 |
| porphyria cutanea tarda | 43/2012 | 44/2012 |
| posttraumatic stress disorder | 82/2014 | 83/2014 |
| presbyopia | 117/2007 | 118/2007 |
| primary myelofibrosis | 17/2013 | 18/2013 |
| psoriasis | 31/2012 | 32/2012 |
| psoriatic arthropathy | 5/2012 | 6/2012 |
| pterygium | 75/2007 | 76/2007 |
| pulmonary barotrauma | 45/2006 | 46/2006 |
| pulmonary thromboembolism | 56/2012 | 57/2012 |
| rapidly progressive crescentic glomerulonephritis | 81/2010 | 82/2010 |
| reactive arthritis | 26/2010 | 27/2010 |
| relapsing polychondritis | 45/2008 | 46/2008 |
| renal artery atherosclerotic disease | 102/2011 | 103/2011 |
| renal stone disease | 65/2010 | 66/2010 |
| restless legs syndrome | 20/2014 | 21/2014 |
| retinal vascular occlusive disease | 83/2011 | 84/2011 |
| rheumatic heart disease | 19/2011 | 20/2011 |

| Condition | Number | |
|-------------------------------------|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| rheumatoid arthritis | 68/2008 | 69/2008 |
| Ross River virus infection | 90/2010 | 91/2010 |
| rotator cuff syndrome | 39/2006 | 40/2006 |
| sarcoidosis | 115/2007 | 116/2007 |
| schistosomiasis | 86/2010 | 87/2010 |
| schizophrenia | 15/2009 | 16/2009 |
| scrub typhus | 72/2009 | 73/2009 |
| seborrhoeic dermatitis | 13/2013 | 14/2013 |
| seborrhoeic keratosis | 31/2006 | 32/2006 |
| sensorineural hearing loss | 5/2011 | 6/2011 |
| shin splints | 49/2006 | 50/2006 |
| sick sinus syndrome | 15/2014 | 16/2014 |
| sickle-cell disorder | 43/2008 | 44/2008 |
| sinus barotrauma | 49/2010 | 50/2010 |
| sinusitis | 09/2010 | 10/2010 |
| sleep apnoea | 41/2013 | 42/2013 |
| smallpox | 31/2008 | 32/2008 |
| soft tissue sarcoma | 13/2006 | 14/2006 |
| solar keratosis | 73/2012 | 74/2012 |
| somatic symptom disorder | 24/2014 | 25/2014 |
| spasmodic torticollis | 21/2008 | 22/2008 |
| spina bifida | 61/2007 | 62/2007 |
| spinal adhesive arachnoiditis | 116/2011 | 117/2011 |
| spondylolisthesis and spondylolysis | 05/2006 | 06/2006 |
| sprain and strain | 94/2011 | 95/2011 |
| steatohepatitis | 79/2013 | 80/2013 |
| strongyloidiasis | 88/2010 | 89/2010 |
| subarachnoid haemorrhage | 67/2010 | 68/2010 |
| subdural haematoma | 33/2011 | 34/2011 |
| substance use disorder | 3/2009 | 4/2009 |
| sudden unexplained death | 57/2013 | 58/2013 |
| suicide and attempted suicide | 11/2010 | 12/2010 |
| systemic lupus erythematosus | 85/2007 | 86/2007 |

| Condition | Number | |
|----------------------------------|------------------------------|---------------------------------|
| | Reasonable hypothesis | Balance of probabilities |
| systemic sclerosis | 64/2009 | 65/2009 |
| tension-type headache | 1/2010 | 2/2010 |
| thoracic spondylosis | 64/2014 | 65/2014 |
| thromboangiitis obliterans | 7/2009 | 8/2009 |
| tinea of the skin | 13/2004 | 14/2004 |
| tinnitus | 33/2012 | 34/2012 |
| toxic maculopathy | 39/2009 | 40/2009 |
| trigeminal neuralgia | 54/2009 | 55/2009 |
| trigeminal neuropathy | 29/2009 | 30/2009 |
| tuberculosis | 43/2007 | 44/2007 |
| varicocele | 3/2011 | 4/2011 |
| varicose veins of the lower limb | 120/2011 | 121/2011 |
| vascular dementia | 78/2014 | 79/2014 |
| von Willebrand's disease | 57/2007 | 58/2007 |
| warts | 70/2014 | 71/2014 |
| Wilson's disease | 07/2007 | 08/2007 |

Schedule 2
Rate of disablement pension

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| Level of whole-person impairment (%) | Weekly payment rate (\$) |
|---|---------------------------------|
| 5-7 | 10.85 |
| 8-12 | 21.70 |
| 13-17 | 32.54 |
| 18-22 | 43.39 |
| 23-25 | 54.24 |
| 26-30 | 65.09 |
| 31-32 | 75.93 |
| 33-37 | 86.78 |
| 38-41 | 97.63 |
| 42-47 | 108.48 |
| 48-49 | 119.32 |
| 50 | 130.17 |
| 51 | 141.02 |
| 52-54 | 151.87 |
| 55-57 | 162.71 |
| 58-61 | 173.56 |
| 62-66 | 184.41 |
| 67 | 195.26 |
| 68-74 | 206.10 |
| 75 | 216.95 |
| 76 | 227.80 |
| 77 | 238.65 |
| 78 | 249.49 |
| 79 | 260.34 |
| 80 | 271.19 |
| 81 | 292.88 |
| 82 | 314.58 |
| 83 | 336.27 |
| 84 | 357.97 |
| 85-100 | 381.83 |

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 7 December 2014, prescribe various matters as part of the implementation of the Veterans' Support Act 2014 (the **Act**). Most of the provisions of the Act come into force on 7 December 2014. Certain provisions of the Act, including provisions that relate to Scheme Two and to the veterans' independence programme, are scheduled to come into force on 7 December 2015. It is anticipated that these regulations will be amended during 2015 to prescribe matters relating to Scheme Two and the veterans' independence programme.

In summary, these regulations prescribe matters relating to—

- the definition of treatment provider. Acupuncturists, audiologists, counsellors, and speech therapists who meet certain criteria are added for the purposes of the definition of treatment provider in section 7 of the Act (*regulations 4 to 8*):
- presumptions and instruments that assist in determining whether a veteran's injury, illness, or condition is service-related, including—
 - a list of paired organs, for the purposes of the presumption relating to paired organs contained in section 20 of the Act (*regulation 9*):
 - the conditions that must be treated as service-related if a veteran has been exposed to specified events during qualifying operational service at specified times, during specified periods, or on specified deployments. Certain conditions and illnesses are specified for veterans who were prisoners of war during World War II, for veterans who may have been exposed to nuclear radiation on certain deployments, for veterans who served in Vietnam, and for veterans who served in the Gulf War (*regulations 10 to 14*):

- the statements of principles determined by the Australian Repatriation Medical Authority under the Veterans' Entitlements Act 1986 (Aust) that apply in New Zealand for the purposes of the Act. Every statement of principles that is in effect in Australia at the commencement of these regulations will apply in New Zealand (*regulation 15*):
- entitlements of veterans and other claimants, and related matters, including—
 - the annual indexation of certain entitlements to reflect increases in the Consumers Price Index (All Groups) published by Statistics New Zealand (*regulation 16*):
 - the rates of the disablement pension, surviving spouse or partner pension, and children's pension (*regulations 17 to 19*):
 - the maximum rate of the dependant's pension and the assessment of a dependant's economic position for the purposes of determining the rate payable to the dependant (*regulations 20 to 25*):
 - the rates of children's bursaries (*regulation 26*):
 - entitlement to, and rates of, weekly battery allowance for batteries used in hearing aids (*regulations 27 and 28*):
 - the maximum amount of motor vehicle grants, limits on the frequency of motor vehicle grants, and the criteria for determining whether to make a motor vehicle grant (*regulations 29 to 33*):
 - the retirement lump sum payment, including the amount of the payment and provisions relating to the asset threshold and the asset assessment under section 150 of the Act (*regulations 34 to 39*):
 - the payment of funeral expenses, including the maximum amounts payable for the expenses of a funeral and burial or cremation of a veteran and for the transport of a veteran's body (*regulations 40 and 41*):
 - the rates of the veteran's pension (*regulation 42*):

- the amount of lump sum payments payable on the death of certain recipients of the veteran's pension (*regulations 43 and 44*):
- the procedure for appeals against review decisions (*regulations 45 to 53*):
- the procedure of the Veterans' Advisory Board and of the Veterans' Health Advisory Panel, including provisions relating to meetings, the form of resolutions, and conflicts of interest (*regulations 54 to 63*):
- treatment cards for veterans with service-related injuries, illnesses, or conditions for which Veterans' Affairs New Zealand will pay or contribute towards the cost of treatment (*regulations 64 to 70*):
- the revocation of certain legislative instruments made under the War Pensions Act 1954 and superseded by these regulations (*regulation 71*).

Regulatory impact statement

The New Zealand Defence Force produced a regulatory impact statement on 8 August 2014 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.veteransaffairs.mil.nz/for-veterans/veterans-support-act-2014/regulatory-impact-statement/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

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These regulations are administered by the New Zealand Defence Force.
