

Reprint  
as at 19 November 2015



## Veterans' Support Regulations 2014 (LI 2014/369)

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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#### Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**These regulations are administered by the New Zealand Defence Force.**

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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 \$431.10 per week.
- (3) The single sharing accommodation rate is \$396.17 per week.
- (4) The relationship rate is \$326.30 per week.
- (5) The relationship (partner not receiving superannuation or pension) rate is \$618.08 per week.
- (6) The relationship (partner not receiving superannuation or pension) legacy rate is \$652.60 per week.

Regulation 42(2): amended, on 1 April 2015, by regulation 4(1) of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

Regulation 42(3): amended, on 1 April 2015, by regulation 4(2) of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

Regulation 42(4): amended, on 1 April 2015, by regulation 4(3) of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

Regulation 42(5): amended, on 1 April 2015, by regulation 4(4) of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

Regulation 42(6): amended, on 1 April 2015, by regulation 4(5) of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

### *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**

### **Miscellaneous provisions**

Part 8 heading: replaced, on 1 April 2015, by regulation 5 of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

#### *Allowances and annuity payable under Part 1 of Schedule 1 of Act*

Heading: inserted, on 1 April 2015, by regulation 6 of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

#### **70A Allowances and annuity payable under Part 1 of Schedule 1 of Act**

- (1) This regulation applies to the allowances and the annuity that are described in the first column of Schedule 3 and that are payable in accordance with Part 1 of Schedule 1 of the Act.
- (2) For the purposes of Schedule 1 of the Veterans' Support Act 2014, the amount or maximum rate of an allowance or annuity to which this regulation applies is the amount or maximum rate specified in the second column alongside the description of the allowance or annuity.

Regulation 70A: inserted, on 1 April 2015, by regulation 6 of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

#### *Revocations*

Heading: inserted, on 1 April 2015, by regulation 6 of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

#### **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

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Schedule 1: replaced, on 19 November 2015, by regulation 4 of the Veterans' Support Amendment Regulations (No 2) 2015 (LI 2015/240).

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	20/2015	21/2015
alcohol use disorder	1/2009	2/2009
allergic contact dermatitis	112/2011	113/2011
allergic rhinitis	22/2014	23/2014
alpha-1 antitrypsin deficiency	29/2015	30/2015
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	102/2014	103/2014
aortic aneurysm	9/2012	10/2012

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
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	39/2015	40/2015
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	65/2015	66/2015
cervical spondylosis	66/2014	67/2014
Charcot-Marie-Tooth disease	21/2015	22/2015
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

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
concussion	64/2012	65/2012
conductive hearing loss	7/2011	8/2011
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	13/2015	14/2015
deep vein thrombosis	54/2012	55/2012
dementia pugilistica	11/2012	12/2012
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	17/2015	18/2015
eating disorder	47/2008	48/2008
electrical injury	31/2009	32/2009
endometriosis	41/2012	42/2012
epicondylitis	7/2015	8/2015
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	61/2015	62/2015
gastro-oesophageal reflux disease	65/2013	66/2013
Gaucher's disease	27/2015	28/2015
giant cell arteritis	71/2012	72/2012
gingivitis	45/2013	46/2013

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
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	23/2015	24/2015
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	63/2015	64/2015
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	67/2015	68/2015
herpes simplex	3/2010	4/2010
herpes zoster	47/2015	48/2015
hiatus hernia	68/2014	69/2014
Hodgkin's lymphoma	35/2014	36/2014
hookworm disease	64/2008	65/2008
horseshoe kidney	31/2015	32/2015
human immunodeficiency virus	5/2010	6/2010
human T-cell lymphotropic virus type 1	7/2010	8/2010
Huntington's chorea	37/2015	38/2015
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
immune thrombocytopenic 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

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
Kaposi's sarcoma	9/2011	10/2011
labral tear	94/2010	95/2010
leptospirosis	94/2014	95/2014
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	69/2015	70/2015
malignant neoplasm of the bladder	96/2011	97/2011
malignant neoplasm of the brain	58/2008	59/2008
malignant neoplasm of the breast	96/2014	97/2014
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
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	92/2014	93/2014
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	57/2015	58/2015
malignant neoplasm of the small intestine	1/2015	2/2015
malignant neoplasm of the stomach	58/2014	59/2014
malignant neoplasm of the testis and paratesticular tissues	3/2015	4/2015
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	25/2015	26/2015
meliodosis	60/2014	61/2014



<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
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
Morton's metatarsalgia	92/2010	93/2010
motor neurone disease	67/2013	68/2013
multiple osteochondromatosis	43/2015	44/2015
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	53/2015	54/2015
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	35/2015	36/2015
osteomyelitis	90/2014	91/2014
osteoporosis	98/2014	99/2014
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	49/2015	50/2015
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
peripheral neuropathy	74/2014	75/2014
peritoneal adhesions	103/2007	104/2007
personality disorder	70/2008	71/2008

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
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	51/2015	52/2015
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	15/2015	16/2015
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
rheumatoid arthritis	68/2008	69/2008
Ross River virus infection	90/2010	91/2010
rotator cuff syndrome	100/2014	101/2014
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	55/2015	56/2015
sensorineural hearing loss	5/2011	6/2011
shin splints	9/2015	10/2015
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

<b>Condition</b>	<b>Number</b>	
	<b>Reasonable hypothesis</b>	<b>Balance of probabilities</b>
sleep apnoea	41/2013	42/2013
smallpox	31/2008	32/2008
soft tissue sarcoma	5/2015	6/2015
solar keratosis	73/2012	74/2012
somatic symptom disorder	24/2014	25/2014
spasmodic torticollis	21/2008	22/2008
spinal adhesive arachnoiditis	116/2011	117/2011
spondylolisthesis and spondylolysis	59/2015	60/2015
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
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	11/2015	12/2015
tinnitus	33/2012	34/2012
toxic maculopathy	39/2009	40/2009
trigeminal neuralgia	54/2009	55/2009
trigeminal neuropathy	29/2009	30/2009
trochanteric bursitis and gluteal tendinopathy	45/2015	46/2015
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	41/2015	42/2015
warts	70/2014	71/2014
Wilson's disease	33/2015	34/2015

## Schedule 2

### Rate of disablement pension

<b>Level of whole-person impairment (%)</b>	<b>Weekly payment rate (\$)</b>
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

### **Schedule 3**

#### **Allowances and annuity payable under Part 1 of Schedule 1 of Act**

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Schedule 3: inserted, on 1 April 2015, by regulation 7 of the Veterans' Support Amendment Regulations 2015 (LI 2015/50).

<b>Allowance or annuity</b>	<b>Amount</b>
Maximum rate of allowance payable under regulation 44 of the War Pensions Regulations 1956	\$25.13 a week
Allowance payable under section 29A of the War Pensions Act 1954 and regulation 39A of the War Pensions Regulations 1956	\$31.30 a week
Annuity payable under section 29A of the War Pensions Act 1954 and regulation 39C of the War Pensions Regulations 1956	\$2,189.38

Michael Webster,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 4 December 2014.

## Reprints notes

### **1** *General*

This is a reprint of the Veterans' Support Regulations 2014 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Veterans' Support Amendment Regulations (No 2) 2015 (LI 2015/240)

Veterans' Support Amendment Regulations 2015 (LI 2015/50)