

2023

The Parliament of the  
Commonwealth of Australia

**THE SENATE**

*Presented and read a first time.*

**Veterans' Entitlement Amendment (Veterans  
Justification) Bill 2023**

**No.     , 2023**

**A Bill for an Act to amend the *Veterans' Entitlement Act 1986*, and for  
related purposes.**

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1 **A Bill for an Act to Amend the Veterans’ Entitlement**  
2 **Act 1986, and for related purposes**

3  
4 The Parliament of Australia enacts:

5  
6 **1 Short Title**

7 This Act is the Veterans’ Entitlement Amendment (Veterans Justification) Bill  
8 2023

9 **2 Commencement**

10 (1) Each provision of this Act specified in Column 1 of the table commences,  
11 or is taken to have commenced, in accordance with column 2 of the table.  
12 Any other statement in column 2 has effect according to its terms.  
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14 **Commencement Information**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Section 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent	
2. Schedule 1	The day after this Act receives the Royal Assent	

15 Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with  
16 any later amendments of this Act.  
17

18 (2) Any information in Column 3 of this table is not part of this Act.  
19 Information may be inserted in this column, or information in it may be  
20 edited, in any published version of this Act.

21 **3. Schedules**

22 Legislation that is specific in a Schedule to this Act is amended or repealed as  
23 set out in the applicable items in the Schedule

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1 **Schedule 1 - Amendments**

2

3 **Division 4 – Rates of pensions payable to veterans**

4 **21A – Determination of Degree of Incapacity**

5

6 **1 Subsection 21A**

7 After Subsection 3 insert:

8

9 (4) For the purposes of this Act, the term “*All accepted conditions*” means

10 injuries or illnesses sustained by the veteran, member or ex-member of

11 the Australian Defence Force that has been accepted under the following

12 Acts:

- 13 (i) The Veteran’s Entitlement Act 1986 (VEA);
- 14 (ii) The Safety Rehabilitation and Compensation Act 1983 (SRCA);
- 15 (iii) The Safety Rehabilitation and Compensation (Defence Related
- 16 Claims) Act 1988 (DRCA); and
- 17 (iv) Military Rehabilitation and Compensation Act 2004 (MRCA)
- 18

19 **23 Intermediate Rate of Pension**

20

21 **2 Subsection 23**

22 Repeal Subsections (1)(b) and (1)(c) and substitute:

23

24 (1)(b) the veteran’s incapacity from war-caused injury or war-caused disease

25 or both, from all accepted conditions is of such a nature as to render the

26 veteran incapable of undertaking remunerative work otherwise than on

27 a part time basis or intermittently; and

28

29 (1)(c) the veteran, by reason of incapacity from war-caused injury or war-

30 caused disease or both, from all accepted conditions, is prevented from

31 continuing to undertake remunerative work that the veteran was

32 undertaking and is, by reason thereof, suffering a loss of salary or

33 wages, or of his or her own account, that the veteran would not be

34 Suffering if the veteran were free from that capacity.

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1 **23 Intermediate Rate of Pension**

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3 **3 Subsection 23**

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5 Repeal the subsection, substitute:

6

7 (3)(d) the veteran is, because of incapacity from war-caused injury  
8 or war-caused disease, or both, from all accepted conditions, is  
9 prevented from continuing to undertake the remunerative work  
10 (*last paid work*) that the veteran was undertaking before he or  
11 She made the claim or application.

12

13 **24 Special Rate of Pension**

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15 **4 Subsection 24**

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17 Repeal subsections 24(1)(b) and (c) and substitute

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19 (1)(b) the veteran is totally and permanently incapacitated, that is to  
20 say, the veteran's incapacity from war-caused injury or war-  
21 caused disease or both, from all accepted conditions is of such  
22 a nature to render the veteran incapable of undertaking  
23 remunerative work for periods aggregating more than 8 hours  
24 per week; and

25

26 (1)(c) the veteran is, by reason of incapacity from war-caused injury or  
27 war-caused disease, or both, from all accepted conditions,  
28 prevented from continuing to undertake remunerative work, that  
29 the veteran was undertaking, and is by reason thereof, suffering  
30 a loss of salary or wages, or of earnings on his or her own  
31 account, that the veteran would not be suffering if the veteran  
32 were free of that incapacity.

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1 Repeal subsection 24 (2A)(d) and substitute

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(2A)(d) the veteran is, because of incapacity from war-caused  
injury or war-caused disease, or both, from all accepted  
conditions is prevented from continuing to undertake  
the remunerative work (last paid work) that the veteran  
was last undertaking before he or she made the claim or  
application.

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