

Summary

Objective

Veterans' Affairs (VA) provides veterans and their families with entitlements such as impairment and income compensation, and services such as home help and gardening.

Owner

[Out of Scope]

Expert

Policy

1.0 Governing Legislation

- a New legislation was introduced in 2014 which expanded the assistance Veterans' Affairs was able to provide to veterans. The Veterans' Support Act 2014 defines assistance and services such as treatment and rehabilitation to veterans and contains two schemes. Scheme One covers veterans who served in the New Zealand Armed Forces prior to 1 April 1974 and Scheme Two covers veterans with qualifying operational service since 1 April 1974.

 Veterans' Support Act 2014
<https://www.westlaw.co.nz/maf/wlnz/app/document?d>

2.0 Scheme One

NOTE Cover

Scheme One covers veterans who served in the New Zealand Armed Forces prior to 1 April 1974.

NOTE Entitlements

Entitlements are based on those available under the previous legislation; the War Pensions Act 1954.

NOTE Impairment compensation – disablement pension

This applies to any temporary or permanent impairment that is determined to be linked to a veteran's service. The payment rates range from \$10.90 per week for impairment of 5%, to the maximum rate of \$383.78 per week for impairment of 85% or greater.

NOTE Income compensation – weekly income compensation

This applies if a veteran is unable to work. It's paid at the rate of 80% of the average wage, currently \$862 per week before tax.

NOTE Compensation for veteran's families

This is available for eligible family members of deceased veterans in the form of:

- surviving spouse or partner pension (\$160.86 per week tax free)
- children's pension (\$172.25 per week tax free)
- dependant's pension (\$160.86 per week tax free).

3.0 Scheme Two

NOTE Cover

Scheme Two covers veterans with qualifying operational service since 1 April 1974. This includes deployments such as Timor Leste, Afghanistan and Iraq.

NOTE Entitlements

Entitlements are aligned with ours, but paid at a slightly higher rate. This continues the benevolence shown by the Government towards veterans who have been affected as a result of their service as specified in Scheme One, and in the previous legislation.

NOTE Impairment compensation

For impairment linked to service between 1 April 1974 and 31 March 2002:

- an independence allowance paid at the same rate as the Scheme One disablement pension is available
- a lump sum payment is available in exchange for stopping periodic payments for one year. The payment is subject to a discount rate which is set in our Regulations, and is based on the long term risk free rates of investment returns and inflation that is published by Treasury.

For impairment linked to service from 1 April 2002 onwards:

- a lump sum payment is available. The payment scale ranges from 5% impairment to 85% impairment. Payment rates for the 5-80% scale are based on our rates, but set at a rate 20% higher than ours
- VA developed payment rates for the 5-9% and 81-85% scale. These rates range from \$2,500 for 5% impairment through to \$192,826 for impairment of 85% or more.

NOTE Weekly compensation (WC):

- available for veterans who are unable to work as a result of a service-related impairment
- paid at a rate of 100% of the veteran's pre-injury earnings for the first year, and 85% for the period thereafter. This is slightly higher than our rate to again reflect the benevolence provided to veterans in recognition of their service to New Zealand.

NOTE Compensation for veteran’s families

Available for eligible family members of deceased veterans:

- survivor grant (\$25,000 for the surviving spouse/partner and \$10,000 for children/dependent(s))
- weekly compensation (60% of the veteran’s pre-death earnings for the surviving spouse/partner; 20% shared between children and 20% for dependant(s)).

Scheme Two entitlements are aligned with our entitlements, recognising that due to the nature of the types of injuries suffered by veterans, many of their conditions are also accepted by us.

In cases where a veteran’s condition has been accepted by us, VA will pay the difference between our rate and the VA rate.

If there is no entitlement to ACC, VA will pay the ACC amount as well as the top up. This ensures that all veterans receive the same amount of compensation, no matter whether their claim has been accepted by us or not.

NOTE Treatment and rehabilitation

VA provides treatment and rehabilitation to veterans with service-related illnesses and injuries. If we have determined that we will provide cover and rehabilitation to a veteran, the rehabilitation advisor will contact us to understand what rehabilitation is being provided, including any goals/outcomes and actions that have been set. We will take the lead on providing the rehabilitation. We can be expected to cover rehabilitation to work-fit status for accident and injury-related conditions.

VA may, subject to consultation with us, “top up” the ACC rehabilitation if it decides the veteran need more assistance. VA will notify us of any rehabilitation that they decide to provide. They may also fund any treatment not covered by us.

NOTE Management of claims covered by ACC and Veterans’ Affairs NZ

We are not required to proactively identify these claims as we will be notified when a veteran covered by us is eligible for Scheme Two.

- b** ACC can request personal information from VA to
 - assess or reassess the eligibility or entitlement of a veteran for services
 - facilitate rehabilitation and treatment of a veteran, which may include the joint supply of rehabilitation and treatment by ACC and Veterans’ Affairs
 - assist in reviews and appeals against decisions regarding services where Veterans’ Affairs determines the information is required to assist the decision

This information can be provided without a signed consent from the client. The exchange of information is permitted under the Privacy (Information Sharing Agreement Facilitating Services for Veterans and Other Claimants) Order 2024.

- c** Refer to Schedule 2 ACC, Privacy (Information Sharing Agreement Facilitating Services for Veterans and Other Claimants) Order 2024

 Privacy (Information Sharing Agreement Facilitating Services for Veterans and Other Claimants) Order 2024
<https://www.legislation.govt.nz/regulation/public/2024/>

Timeframes

None Noted

4.0 Exchange of Veterans' Personal and Health Information without the need for a consent form

- a** At the request of VA, ACC can provide the following:
 - Information to identify the individual, including current name, previous names, date of birth, place of birth, and contact details (noting though that we are unlikely to know the place of birth)
 - ACC entitlement information - Details relating to the current and previous services provided by ACC to a veteran, including type of assistance and financial value
 - ACC status - Fact of a veteran having cover for a personal injury

This information can be provided without a signed consent from the client. The exchange of information is permitted under the Privacy (Information Sharing Agreement Facilitating Services for Veterans and Other Claimants) Order 2024