2016-2017

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Veterans’ Affairs Legislation Amendment
(Omnibus) Bill 2017

(Government)

(1) Clause 2, page 3 (table item 10), omit “6”, substitute “5A”. [pharmaceutical benefits]

(2) Schedule 1, items 6 and 7, page 5 (line 25) to page 6 (line 6), omit the items. [dismissal of applications for review]

(3) Schedule 1, item 8, page 6 (lines 17 to 19), omit subitem (4). [dismissal of applications for review]

(4) Schedule 3, page 14 (line 1) to page 17 (line 15), omit the Schedule, substitute:

Schedule 3—International arrangements

Part 1—Main amendments

Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006

1 At the end of subsection 7(1)

Add:

Note: Under section 203 of the Veterans’ Entitlements Act 1986, the Minister may enter into an arrangement with a foreign country providing for the provision of treatment that is, or the making of payments that are, comparable to treatment or payments under this Act.

Military Rehabilitation and Compensation Act 2004

2 At the end of section 3

Add:

Note: Under section 203 of the Veterans’ Entitlements Act 1986, the Minister may enter into an arrangement with a foreign country providing for the making of payments that are, or the provision of treatment or rehabilitation that is, comparable to payments or treatment or rehabilitation under this Act.
Veterans’ Entitlements Act 1986

3 Paragraph 199(f)

Omit “(Arrangements with Governments of other countries)”, substitute “(International arrangements)”.

4 Section 203

Repeal the section, substitute:

203 International arrangements

(1) The Minister may, on behalf of the Commonwealth, enter into an arrangement with a foreign country, being an arrangement:
   (a) that relates to reciprocity in veterans’ affairs matters; and
   (b) that makes provision for and in relation to the making of payments, or the provision of treatment or rehabilitation, to or in relation to classes of persons specified in the arrangement.

(2) Without limiting subsection (1), the arrangement may make provision for and in relation to the making of payments that are, or the provision of treatment or rehabilitation that is, comparable to payments or treatment or rehabilitation under any of the following:
   (a) this Act;
   (b) the Military Rehabilitation and Compensation Act 2004;
   (c) the Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006.

Provisions of arrangement have full effect

(3) The provisions of an arrangement that is in force under this section have effect despite anything in any of the Acts referred to in subsection (2).

Administration of arrangement

(4) The Commission, or the Military Rehabilitation and Compensation Commission, may give effect to and administer an arrangement that is in force under this section.

Variation or revocation of arrangement

(5) An arrangement that is in force under this section may be varied or revoked by the Minister on behalf of the Commonwealth.

Publication of arrangement

(6) The Minister must arrange for a copy of an arrangement entered into under subsection (1), or of any variations to such an arrangement, to be published on the Department’s website.

Arrangement is not a legislative instrument

(7) An arrangement entered into under subsection (1) is not a legislative instrument.

5 Transitional provisions

(1) An arrangement that:
(a) was entered into under section 203 of the Veterans’ Entitlements Act 1986 before the commencement of this item (including an arrangement having effect as if it were entered into under that section because of section 56 of the Veterans’ Entitlements (Transitional Provisions and Consequential Amendments) Act 1986); and

(b) was in force immediately before the commencement of this item; continues in force on and after that commencement as if it were an arrangement entered into under section 203 of the Veterans’ Entitlements Act 1986 as substituted by this Part.

(2) Subitem (1) does not prevent a variation or revocation, on or after the commencement of this item, of an arrangement continued in force under this item.

Part 2—Contingent amendments

Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988

6 At the end of subsection 4AA(5)

Add:

Note: Under section 203 of the Veterans’ Entitlements Act 1986, the Minister may enter into an arrangement with a foreign country providing for the making of payments that are, or the provision of treatment or rehabilitation that is, comparable to payments or treatment or rehabilitation under this Act.

Veterans’ Entitlements Act 1986

7 At the end of subsection 203(2)

Add:

; (d) the Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988.

[international arrangements]

(5) Page 23 (after line 14), after Schedule 5, insert:

Schedule 5A—Pharmaceutical benefits

National Health Act 1953

1 Subsection 84(1) (subparagraph (c)(ii) of the definition of concessional beneficiary)

Repeal the subparagraph, substitute:

(ii) who is eligible for fringe benefits under section 53A of the Veterans’ Entitlements Act 1986; or

[pharmaceutical benefits]

(6) Schedule 6, item 1, page 24 (lines 11 and 12), omit paragraph 437A(b), substitute:

(b) an SES employee, or acting SES employee, in the Department.

[delegation]

(7) Schedule 7, page 25 (lines 3 and 4), omit the heading, substitute:
Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006
[technical amendment]


[technical amendment]

(9) Schedule 7, item 44, page 33 (line 31) to page 34 (line 1), omit “Australian Participants in British Nuclear Tests (Treatment) Act 2006”, substitute “Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006”.

[technical amendment]

(10) Schedule 7, item 54, page 36 (lines 9 and 10), omit “Australian Participants in British Nuclear Tests (Treatment) Act 2006”, substitute “Australian Participants in British Nuclear Tests and British Commonwealth Occupation Force (Treatment) Act 2006”.

[technical amendment]