

# Gallantry Awards

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# Policy

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## 1. Purpose

- 1.1 This Policy provides guidance on administering **veterans'** eligibility under the Veterans' Support Act 2014 (the Act) for Gallantry Awards, which are allowances or annuities for certain decorations awarded.

## 2. Legislative Reference

- 2.1 The relevant legislation is the Act clause 2 of Part 1 of Schedule 1. Clause 2 preserves the Gallantry Awards as they were set out in Section 29A of the War Pensions Act 1954, regulations 39A to 39D of Part 5A and Schedule 10 of the War Pensions Regulations 1956.

## 3. Eligibility for Gallantry Awards

- 3.1 Those veterans who immediately before the commencement of the Act in December 2014 were entitled under section 29A of the War Pensions Act 1954 and Part 5A and Schedule 10 of the War Pensions Regulations 1956 to receive allowances or an annuity for United Kingdom Gallantry Awards will continue to receive those payments in addition to their pensions.

- 3.2 Only the veterans indicated in paragraph 3.1 above will be eligible to receive payments for gallantry awards in addition to their pension.

*Clause 2(1) of Part 1 of Schedule 1 of the Veterans' Support Act 2014*

- 3.3 The Act provides for Gallantry Awards to continue to be paid if a veteran transfers from a War Disablement Pension to a Disablement Pension.

- 3.4 As per regulation 39D of the War Pensions Regulations 1956, if the Government of the United Kingdom has paid or is paying or has agreed to pay a gratuity, annuity or allowance, or addition to pension for any decoration, the veteran shall not be entitled to receive an allowance or annuity from Veterans' Affairs while such a payment is being made.

## 4. Applications

- 4.1 There is no application form for applying for an allowance or annuity relating to a Gallantry Award. Applications may be made by letter accompanied by evidence that the award has been granted such as copies of verified citations or a relevant defence document.

## 5. Decorations and Rates of Allowances or Annuity

- 5.1 The relevant gallantry awards are those that have been awarded to any **member of the armed forces** on or after 3 September 1939 and include:

The Conspicuous Gallantry Medal (Flying)  
The Conspicuous Gallantry Medal (Navy)  
The Distinguished Conduct Medal  
The Distinguished Flying Cross  
The Distinguished Flying Medal  
The Distinguished Service Cross  
The Distinguished Service Medal  
The Distinguished Service Order  
The Military Cross  
The Military Medal  
The Victoria Cross.

5.2 **See Veterans' Affairs website for the rates of the weekly allowance relating to the above decorations and the annuity applicable to holders of the Victoria Cross.**

5.3 The rates of allowances and the annuity are CPI adjusted annually.

## 6. Living Overseas

6.1 The policy for the Gallantry Awards applies equally to all New Zealand veterans irrespective of their country of residence.

## 7. Reviews, Appeals and Complaints

7.1 If a veteran disagrees about a decision concerning eligibility for an entitlement or service **see separate policies on Reviews and Appeals**. If a veteran is concerned about Veterans' Affairs' administration of an entitlement or service **see separate policy on Complaints**.

## Glossary

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### **member of the armed forces** [section 7]

Means a person who is or has been a member of a New Zealand armed force raised by the Governor-General on behalf of the Sovereign,—

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act

### **qualifying operational service** [section 8]

Means—

- (a) service in any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

### **qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.

### **qualifying service** [section 8]

Means—

- (a) qualifying operational service; or
- (b) qualifying routine service.

### **veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person:
  - (i) who has been:
    - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
    - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
  - (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces);
  - (ii) section 55 or 56;
  - (iii) Parts 4 and 5.