

# **Travel Concession under the Veterans' Independence Programme**

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# Policy

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## 1. Purpose

- 1.1 This policy provides guidance on administering **veteran**'s eligibility under the Veterans' Support Act 2014 (the Act) to the Travel Concession under the Veterans' Independence Programme. It should be read together with the separate policy on the *Veterans' Independence Programme*.

## 2. Legislative Reference

- 2.1 The relevant legislation is:
- the Act, sections 7, 138 to 144, clauses 3 and 6 of Schedule 1
  - Police Act 1958, section 42
  - Policing Act 2008, section 110.

## 3. Purpose of Travel Concession

- 3.1 Veterans may receive a Travel Concession for travel in **New Zealand** that is undertaken for personal and private purposes.

## 4. When the Travel Concession is not Payable

- 4.1 Travel related to work, or for assessments, treatment or rehabilitation provided in accordance with the Veterans' Support Act 2014 (**see separate paper on Travel for Assessment, Treatment and Rehabilitation**) does not qualify for the Travel Concession.
- 4.2 A refund for a journey under the Travel Concession will not be made if:
- the journey was, or could have been, undertaken at no cost by using a SuperGold card; or
  - the veteran was or is entitled to be reimbursed for the cost of the journey under any other enactment (e.g. medical travel or ACC); or
  - the veteran travelled at no cost by using a loyalty programme such as Airpoints or FlyBuys; or
  - the journey was made by **private vehicle** and another veteran claims a refund in respect of the same journey; or
  - the veteran receives fares or contributions towards the cost of the journey from another source.

- 4.3 Veterans' Affairs may decline to pay a refund for a journey, if:
- it is not satisfied that the veteran undertook the journey to which the claim relates; or
  - the veteran has provided insufficient or inaccurate details about the journey.

## 5. Eligibility for the Travel Concession

- 5.1 To be eligible for a **Full Travel Concession** the veteran must be in receipt of a:
- permanent War Disablement Pension of 100% or more or permanent entitlements under the Act of 75% whole-person impairment or more; or
  - temporary War Disablement Pension of 100% or temporary Disablement Pension under the Act of 75% whole-person impairment or more which has been granted at that rate continuously over the last three years.

- 5.2 A veteran in receipt of a 100% War Disablement Pension who transfers to a Disablement Pension that is less than 75% will retain his or her entitlement to the Travel Concession. War Disablement Pension recipients who applied for new conditions or reassessment prior to 7 December 2014 and as a result were considered to be on 100% or more War Disablement Pension qualify for the Full Travel Concession without needing to transfer to a Disablement Pension.

- 5.3 To be eligible for a **Full Travel Concession with an escort** the veteran must also:

### *Service-related*

- receive all or part of his/her entitlement due to the amputation of all or part of a limb; or

### *From any cause*

- have suffered the loss of both legs above the knee; or
- be totally blind (i.e. 100% vision loss); or
- have been medically certified in writing by the veteran's health practitioner as unfit or unable to travel alone , i.e. physically or mentally unable to board and remain on public transport services without the assistance of an escort.

- 5.4 If accompanied by an escort when travelling on a **public transport service**, the veteran may claim for the escort's ticket as well. The veteran may not claim a refund in respect of an escort when travelling in a private vehicle or on a **scheduled air service**.
- 5.5 To be eligible for a **Partial Travel Concession** (i.e. 50% of the amount that would be paid under a Full Travel Concession), the veteran must be in receipt of a permanent Disablement Pension or impairment compensation of 48% or more, or a permanent War Disablement Pension of 55% or more for a condition that restricts mobility (i.e. an injury, illness or condition directly affecting the veteran's ability to use his/her legs).
- 5.6 Other conditions that indirectly affect the veteran's ability to exert himself/herself, such as heart and lung conditions, do not qualify for a Partial Travel Concession.
- 5.7 A veteran in receipt of a War Disablement Pension of 55% or more who transfers to a Disablement Pension that is less than 48% will retain his or her entitlement to the Partial Travel Concession. War Disablement Pension recipients who applied for new conditions or reassessment prior to 7 December 2014 and as a result were considered to be on 55% or more War Disablement Pension qualify for the Partial Travel Concession without needing to transfer to a Disablement Pension.
- 5.8 With the exception of those veterans with grand-parented entitlements from the War Pensions Act 1954, if a veteran's level of whole-person impairment drops below the eligibility criteria set out above he or she will cease to be eligible to a Travel Concession. If a veteran who requires a travel escort becomes medically fit to travel alone he or she ceases to be eligible for a Full Travel Concession with Escort.

## 6. Recipients with service in the New Zealand Police

- 6.1 A New Zealand police officer who is receiving a War Disablement Pension or Disablement Pension based on their service in the New Zealand Police between 1958 and 1972 can apply for the support set out in this policy.

*Section 42 of the Police Act 1958, section 110 of the Policing Act 2008 and section 7 and Schedule 1 clause 6 of the Veterans' Support Act 2014*

## 7. Applications for the Travel Concession

- 7.1 There is no application form for the Travel Concession. The Case Manager is responsible for informing the veteran of when he or she becomes eligible for a Full or Partial Travel Concession. Alternatively, veterans who consider they may be eligible should contact their Case Manager to see if they qualify. Refer to the following sections regarding reimbursement and evidential requirements.

## 8. Journeys for which reimbursement is available

8.1 Veterans can be refunded for journeys within New Zealand that:

- are for personal or private purposes, and not for purposes associated with employment or self-employment; and
- are one-way trips of 80 km or more, or return trips of 160 km or more; and
- are taken by:
  - a **public transport service**; or
  - a **scheduled air service**; or
  - **private vehicle**.

8.2 “Journeys within New Zealand” include travel on a scheduled commercial air service, which is treated as a domestic flight, to and from the islands that are part of New Zealand within the meaning contained in the Interpretation Act 1999 (see glossary), and within New Zealand’s Exclusive Economic Zone. Of these islands (Antipodes, Auckland, Bounty, Campbell, Chatham, Snares and Kermadec) only the Chatham Islands meet all these criteria.

8.3 Every claim for a refund under the Travel Concession must:

- be made after the journey is completed but before the end of the calendar month following the month in which the journey was completed; and
- be in writing, and on a form if one is provided by Veterans’ Affairs for the purpose;
- Include evidence that the journey was undertaken.

8.4 Veterans’ Affairs may accept a late claim if satisfied there is a good reason for lateness (such as the veteran’s hospitalisation, or the death of a family member of the veteran).

## 9. Reimbursement of Travel Costs

9.1 Where a veteran is applying or has applied for up to \$200 of reimbursement within one financial year, claims for reimbursement can be made via a statutory declaration filled out by the veteran to say that his travel has occurred. The declaration must state the starting location and destination, and that the veteran has travelled (over 80 kilometres each way) on a specified date for personal or private purposes not related to employment. Receipts will not be required for petrol if travel occurs in a private vehicle. However, tickets and evidence of ticket cost must be provided if using a public transport service or scheduled air service (**see section 10**). A veteran

may provide receipts for travel up to \$200 within one financial year, rather than providing a statutory declaration, if this is easier for the veteran.

- 9.2 If travel for one calendar year exceeds the \$200 reimbursement level, receipts must be provided for all travel. This includes any trips that are over \$200 in one go, or if the veteran has taken a portion of the \$200 concession in one journey and then takes another journey which takes the amount of travel over the \$200 cap.
- 9.3 Veterans' Affairs will refund as follows:
- for travel by a public transport service, a refund of the cost of the ticket
  - for travel by a scheduled air service, the lesser of-
    - the cost of the ticket, or
    - 27.1 cents per km
  - for travel by private vehicle, 27.1 cents per km (regardless of the number of passengers).
- 9.4 A person granted an escorted Travel Concession who travels by a public transport service is entitled to a refund for the cost of his or her own ticket and the ticket of the person who escorted him or her on the journey.
- 9.5 A person travelling on a Partial Travel Concession is entitled to a refund that is half the amount that would be available under a Full Travel Concession.
- 9.6 All distances are determined using the AA maps website and are based on the shortest road distance between:
- for travel by private vehicle, the nearest localities (town or city) to the veteran's starting location and destination
  - airport to airport when travelling by scheduled air service.

## **10. Evidential Requirements**

- 10.1 The type of evidence required for reimbursement depends on the transport used.
- 10.2 For public transport, the original ticket(s) (including the escort's ticket if applicable) and evidence of the cost of each ticket (if not printed on the ticket) must be provided.
- 10.3 For a scheduled air service, the original ticket or boarding pass and evidence of the cost of ticket must be provided. The ticket needs to show the airfare separately from other incidental costs which cannot be claimed, such as the cost of insurance or excess baggage costs.

- 10.4 For private vehicle travel when the veteran has exceeded the \$200 reimbursement level described in paragraph 8.1, EFTPOS or credit card receipts for fuel at the beginning and end of the journey must be provided. If the journey begins or ends at a place where fuel is available, fuel must be bought from that location (a minimum purchase is all that is required). Receipts must show the name of the business, its address, the date and time of the purchase and what was bought.
- 10.5 If the veteran travelling by private vehicle is travelling to or from a place where fuel is not available, he or she must:
- buy fuel from the nearest fuel provider based on the direction of travel and retain the receipt; and
  - make a small purchase (e.g. milk, newspaper) at the place fuel is not available.
- 10.6 If a full journey cannot be verified through receipts, the claim will be assessed based on the portion of the journey that can be verified. If it is not possible to prove that a journey occurred, no payment will be made.
- 10.7 If the shortest road distance between the starting and finishing points is less than 80 km, but the veteran chooses to take - and can provide evidence that he or she has taken - an alternate route that is more than 80 km, Veterans' Affairs will pay the rate for the shortest distance between the starting and finishing points of the journey. If the veteran is unable to provide evidence of having travelled the alternate route, he or she can apply for a dispensation from the evidential requirements (**see section 11**).
- 10.8 For long journeys, with multiple legs, either a single claim for the whole journey or separate claims for each leg of the journey that is 80 km or more can be made.
- 10.9 Receipts provided must show if a return journey was made. Receipts must be provided from the starting location, destination and once back at the starting location.

## 11. Exceptions to Evidential Requirements

- 11.1 Dispensations can be applied for if, due to reasons beyond the veteran's control, he or she is unable to provide the normal evidence required for private vehicle travel. Grounds for granting a dispensation may include:
- a disability prevents the veteran from doing so
  - there are no petrol stations or shops on the route travelled, including at their destination
  - the only local petrol station has been closed temporarily



- the veteran is able to provide alternative evidence, i.e. independent verifiable evidence that he or she undertook a journey in a private vehicle.

11.2 The following conditions will apply to dispensations:

- a dispensation must be granted before the journey is undertaken (dispensations cannot be granted retrospectively)
- the veteran may be required to provide evidence to show a dispensation should be granted
- a dispensation will require alternate evidence to be provided
- limitations may apply to a dispensation, such as it may apply only to a specific route where the veteran is unable to provide the evidence normally required
- a dispensation will be granted for either a set number of journeys or a set period of time. This enables Veterans' Affairs to check if the veteran's circumstances have changed and whether a dispensation is still warranted
- the inconvenience of having to obtain receipts is not a reason for granting a dispensation.

## 12. Living Overseas

12.1 The policy for the Travel Concession under the Veterans' Independence Programme applies only to veterans travelling in New Zealand. Veterans who reside overseas and who have been granted a Travel Concession may claim reimbursements for qualifying journeys undertaken while visiting New Zealand.

## 13. Reviews, Appeals and Complaints

13.1 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**.

## 14. Transitional Arrangements

14.1 Recipients of the Travel Concession granted either prior to 7 December 2014 under the War Pensions Act 1954 or during the period from 7 December 2014 to 6 December 2015 under clause 12 of Schedule 1 of the Veterans' Support

Act 2014 continue to be entitled to a Travel Concession under the Veterans' Independence Programme.

*Clause 13 of Schedule 1 Part 2 of the Veterans' Support Act 2014*

14.2 **See also paragraphs 5.2 and 5.7.**

## Glossary

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### **accepted disability** [policy definition]

Means an injury, illness or condition that Veterans' Affairs accepts as being service-related.

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

Means a person who is or has been a member of the 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.

### **motor vehicle** [section 146]

- (a) includes a mobility device as defined in section 2(1) of the Land Transport Act 1998; but
- (b) does not include a vehicle that the director has declared is not a motor vehicle under section 168A of the Land Transport Act 1998.

### **New Zealand** [section 29 of the Interpretation Act 1999]

Or similar words referring to New Zealand, when used as a territorial description, mean the islands and territories within the Realm of New Zealand; but do not include the self-governing State of the Cook Islands, the self-governing State of Niue, Tokelau or the Ross Dependency.

### **private vehicle** [policy]

Means a land-based vehicle such as a car, motor bike or van that is privately owned, i.e. not owned by a commercial business.

### **public transport service** [section 5(l) of the Land Transport Management Act 2003]

- (a) means, subject to paragraph (b), a service for the carriage of passengers for hire or reward by means of —
  - (i) a large passenger service vehicle; or
  - (ii) a small passenger service vehicle; or
  - (iii) a ferry or; or
  - (iv) a hovercraft; or
  - (v) a rail vehicle; or
  - (vi) any other mode of transport (other than air transport) that is available to the public generally; but
- (b) in relation to Part 5, does not include—
  - (i) an excluded passenger service; or
  - (ii) a shuttle service.

and includes, as a matter of policy, water taxi.

### **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.

**scheduled air service** [policy]

Means a flight that is on a commercial airline's schedule of services for regular passengers, and is not a special charter service for the veteran, or a private flight in a private plane for the veteran.

**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.