

Disablement Pension

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Policy

1. Purpose

- 1.1 This is the policy on administering eligibility for the Disablement Pension (**impairment** compensation under Scheme One). It applies for New Zealand **veterans** whether living in New Zealand or overseas.

2. Legislative reference

- 2.1 Relevant legislation is:
- sections 7, 11, 14–15, 17–21, 27–29, 38–40, 47–58, 215 & 228, and clause 6 of Schedule 1, of the Veterans' Support Act 2014
 - regulations 9–17 and 53 of the Veterans' Support Regulations 2014
 - section 42 of the Police Act 1958, and section 110 of the Policing Act 2008.

3. Eligibility for Disablement Pension

Veteran eligibility (Scheme One service)

- 3.1 Veterans are eligible for a Disablement Pension if they have both:
- **qualifying service** before April 1974; or before 31 March 1975 in Viet Nam with Civilian Surgical Team based at Qui Nhon Provincial State Hospital; or before 21 April 1975 in Viet Nam with 41 Squadron RNZAF
 - an **accepted injury or illness**.

Section 38 of Veterans' Support Act

Veteran eligibility (Scheme Two service)

- 3.2 From 7 December 2014 to 6 December 2015, veterans with Scheme Two service could apply for a Disablement Pension. Those granted one continue to get it for any accepted injury/illness claim made in that period. Claims for new injuries/illnesses are made under Scheme Two.

Police (non-veteran) eligibility

- 3.3 Recipients of a War Disablement Pension based on service in the New Zealand Police before April 1974 can elect to:
- stay on this; or
 - apply for, and get, a Disablement Pension for those injuries/illnesses for which they were eligible for a War Disablement Pension.

Section 42 of Police Act 1958; section 110 of Policing Act 2008; clause 6 of Schedule 1 of Veterans' Support Act

Ineligible circumstances

- 3.4 An injury/illness cannot be considered for coverage if it:
- occurred while the veteran was a deserter / absent without leave, within the meaning of the armed forces disciplinary legislation applying at the time (findings of a military tribunal to that effect, within the meaning of the Armed Forces Disciplinary Act 1971, would be conclusive proof); or
 - occurred while the veteran was committing an offence under New Zealand law (or an act that would have been such, if committed in New Zealand); or
 - is due wholly or substantially to aging.

Sections 28(1)(a)&(b),(3),and(4) of Veterans' Support Act

4. Application for Disablement Pension

- 4.1 Disablement Pension claims must be made on the applicable form, and supporting information supplied including:
- certified copy of identification document (birth certificate, current passport, current drivers licence, or current firearms licence)
 - veteran identification (usually, service number)
 - original (or certified copy of) veteran's bank statement showing account number and name, or a pre-printed deposit slip stamped by the bank
 - medical evidence (for each condition, **medical practitioner**—or dentist, for dental conditions—must complete the relevant part of the form and supply relevant reports)
 - any other information held that may assist the claim (other than veteran's NZDF service/medical records, which Veterans' Affairs can get).

Sections 27 and 48 of Veterans' Support Act

5. Determining eligibility

- 5.1 **See Appendix I for flowchart of pathway to Disablement Pension.** In considering a claim, Veterans' Affairs will establish:
- whether it is for loss of a **paired organ** or its use; and if so, whether veteran has an accepted injury/illness covering the permanent loss of the other paired organ or its use

Section 20 of Veterans' Support Act; regulation 9 of Veterans' Support Regulations

- what type of qualifying service the veteran has (**qualifying routine service** or **qualifying operational service**), and when it occurred

Sections 38–39 of Veterans' Support Act

- whether the injury/illness occurred or was aggravated during qualifying operational service; and if aggravated, whether the injury/illness was known to the veteran before he/she started that service, and recorded in his/her NZDF medical records

Section 19 of Veterans' Support Act

- whether it is a conclusively presumed condition that must be treated as **service-related** (see **Appendix II on these**)

Section 21 of Veterans' Support Act; regulations 10-14 of Veterans' Support Regulations

- whether a **statement of principles** applies (for how to apply Statements of Principles, and what to do if there is no Statement of Principles, see policy on **Statements of Principles**)

Sections 14–15 of Veterans' Support Act; regulation 15 of Veterans' Support Regulations

- whether further medical assessment is needed.

6. Status of entitlement (temporary or permanent)

- 6.1 The Disablement Pension is granted as either temporary or permanent, and the veteran must be notified accordingly.
- 6.2 To be eligible for a temporary Disablement Pension, veterans must take part in a rehabilitation plan or have reasonable grounds for not doing so. (See policies on **Rehabilitation Services Eligibility** and **Rehabilitation Section of Your Plans**).
- 6.3 Veterans may be eligible for a permanent Disablement Pension if their accepted injury or illness is assessed on the basis of medical evidence as *not likely to improve* or as *stabilised / reached its final state*.
- 6.4 Veterans don't have to take part in a rehabilitation plan to receive a permanent Disablement Pension.

Sections 47, 49(1)&(2) and 51 of Veterans' Support Act

7. Calculating whole-person impairment / payment rate

- 7.1 The *American Medical Association Guides to the Evaluation of Permanent Impairment* 4th Edition [AMA Guides] is used to assess each injury/illness and determine the veteran's whole-person impairment rate. The combined tables are used to calculate that rate up to 100%. See **Appendix III on calculating whole-person impairment**.
- 7.2 The whole-person impairment rate determines the payment rate.

Regulation 17 of Veterans' Support Regulations

- 7.3 An injury/illness assessed at 0% impairment is eligible for treatment and rehabilitation (if needed), but not for pension payments.

8. Decision timeframe & start of entitlement

- 8.1 The decision on a claim is to be made within 30 **working days** of receiving the application. This does not include any period Veterans' Affairs is waiting for further information needed for the decision.
- 8.2 When a veteran applies for multiple conditions, these are separate claims so the 30-day period applies to each separately. See **Appendix IV flowchart**.
- 8.3 The veteran will be given notice in writing of the decision as soon as practicable, including:
- the reasons for the decision
 - information about the right of review
 - whether the pension (if granted) is temporary or permanent
 - if temporary, date (normally within 12 months) by which the accepted injury/illness is to be reassessed.
- 8.4 Entitlement (if any) begins on the day the application was received.

Section 11, 48 and 49(1)&(3) of Veterans' Support Act

9. Paying the entitlement

- 9.1 Payments to New Zealand bank accounts are on a fortnightly basis. Payments to overseas bank accounts are on a 4-weekly basis.
- 9.2 Within New Zealand the payment is not taxed, tested or affected by overseas entitlements. But other countries may view it as income they tax or include in income tests, so overseas residents granted it should be advised of the need to contact the appropriate local agency to check about any such impacts.
- 9.3 Payment rates are adjusted annually in line with the Consumers Price Index (all groups excluding cigarettes and other tobacco products). For current rates, see the payments section of the Veterans' Affairs website.

Regulation 16 of Veterans' Support Regulations

Temporary increase to maximum rate in special circumstances

- 9.4 Payment may be increased to the maximum rate while a veteran is having treatment that requires him/her to live away from home, or be absent from work at least one day a week. (See policy on **Temporary Increase in Disablement Pension**).

Maximum rate for terminal veterans

- 9.5 Veterans with a service-related **terminal medical condition** can elect to suspend payments for a 12-month period and instead get a (once-only) lump sum payment for that period at the maximum rate. Once that period ends, the

veteran is entitled to the maximum Disablement Pension. See policy on **Terminal Lump Sum and Terminal Disablement Pension Payments**.

10. Reassessment of temporary Disablement Pension

10.1 The purpose of reassessing a temporary pension is to determine whether:

- the Disablement Pension should continue because the veteran still has the accepted injury/illness, or be cancelled because he/she has recovered
- the injury/illness is likely to improve, or has stabilised or reached its final state in which case the pension should be made permanent.

Section 49(4) of Veterans' Support Act

10.2 The original timeframe for reassessment may be extended if Veterans' Affairs deems appropriate due to additional treatment/reassessment being needed.

Section 49(3) of Veterans' Support Act

10.3 Veterans' Affairs will ensure up-to-date information is available for the reassessment. This may include:

- post-surgery update from a specialist (if not already available, Veterans' Affairs may book an appointment)
- update from the veteran's GP or other **health practitioner** (Veterans' Affairs may require the veteran to attend a further appointment)
- advice as to an appropriate follow-up reassessment date.

10.4 The reassessment may result in any of the following:

- cancellation of Disablement Pension
- further period of temporary Disablement Pension
- permanent Disablement Pension (if the injury/illness has stabilised or reached its final state).

10.5 An injury/illness assessed at 0% whole-person impairment may be made permanent, if there is:

- a need for ongoing treatment to deal with effects of the injury/illness; or
- potential for the injury/illness to return or recur.

Section 49(5) of Veterans' Support Act

10.6 If a further period of temporary Disablement Pension is granted, Veterans' Affairs must notify the veteran of the next reassessment date.

Section 49(6) of Veterans' Support Act

11. Reassessment of permanent Disablement Pension

11.1 As a matter of policy, an injury or illness accepted as permanent should not be reassessed till at least two years from the date its permanent pension was granted (or last reassessed), unless:

- the veteran supplies medical evidence it has changed significantly; or
- Veterans' Affairs considers it has changed significantly (for example, based on information from a treatment or rehabilitation report).

11.2 "Significant" change is when impairment from one or more injuries or illnesses would change the veteran's whole-person impairment by 10% or more.

Section 52 of Veteran's Support Act

11.3 From the two-year mark, veterans can apply without evidence to have an accepted injury/illness reassessed, and Veterans' Affairs will pay for a medical assessment.

11.4 Once whole-person impairment is assessed at 85% or more, accepted injuries/illnesses will not be reassessed unless any has significantly improved. Evidence might be a medical report that seems to indicate significant reduction in impairment. If there are multiple accepted injuries/illnesses, decision makers must consider whether the AMA Guides indicate a significant change in impairment.

11.5 If a veteran at 85% whole-person impairment is reassessed at below 85%, he/she may apply for reassessment of any other accepted injuries or illnesses.

12. Pension rate-changes after reassessment

12.1 Reassessment of an accepted injury/illness may result in a change to the level of assessed impairment. The veteran's whole-person impairment is recalculated, which may result in a change to the amount paid.

12.2 For example, for a veteran on a Disablement Pension of 82%, if accepted injuries/illnesses have worsened to the extent of whole-person impairment increasing by 3%, the Disablement Pension increases to 85%. (Maximum payment rate corresponds to 85% whole-person impairment, so there is no change in payment rate beyond that threshold.)

12.3 If an accepted injury/illness has improved, its impairment rating will be recalculated to a lower percentage and the veteran's payment rate may reduce.

12.4 The level of impact on the pension rate will depend on:

- degree of change in impairment for this particular accepted injury/illness
- ranking of this accepted injury/illness in respect of any others
- number of other accepted injuries/illnesses.

13. Suspension of temporary Disablement Pension

- 13.1 Veterans must comply with any reasonable requirements by Veterans' Affairs for the purpose of completing a reassessment. These may include supplying more information, such as a further medical assessment by a specialist nominated and paid for by Veterans' Affairs.
- 13.2 If, without reasonable grounds, a veteran fails to comply within the stipulated time, Veterans' Affairs may suspend their temporary Disablement Pension. ("Reasonable grounds" would be something outside the veteran's control that impairs their ability to comply eg, hospitalisation, or death of family member.)
- 13.3 Veterans' Affairs must give the veteran 28 days written notice that it proposes to suspend payments.

Section 50 of Veterans' Support Act

- 13.4 Permanent Disablement Pensions cannot be suspended under these terms.

14. Cessation of temporary Disablement Pension

- 14.1 If a veteran fails to comply with rehabilitation requirements, Veterans' Affairs may cease the veteran's temporary Disablement Pension, but only if:
- Veterans' Affairs has given written notice it intends to cease payment because of the failure to comply; and
 - the veteran has not complied within 28 days of the notice being given, or satisfied Veterans' Affairs of reasonable grounds for not complying.

Section 27(2)(c),(4),&(5) of Veterans' Support Act

15. End of entitlement

- 15.1 Entitlement ceases:
- if the veteran no longer has the accepted injury or illness; or
 - 28 days after he/she dies (but this does not apply if he/she had elected to receive a terminal payment, and death is within 12 months of that election).

Sections 49(4)(a) and 55 of Veterans' Support Act

- 15.2 During any period when a veteran is a **prisoner** in any **prison**, Veterans' Affairs must not provide a Disablement Pension and is not required to make any assessments or Disablement Pension-related payments.

Section 29 of Veterans' Support Act

16. Reviews, appeals and complaints

- 16.1 If a veteran disagrees with a decision on eligibility for an entitlement or service, see policies on **Reviews** and **Appeals**. If they are dissatisfied with how their Disablement Pension is administered, see policy on **Complaints**.

17. Administration of claims after death

- 17.1 If a veteran dies before their claim is received, it cannot proceed. If the veteran dies after receipt but before determination of a claim, it can proceed and be determined by Veterans' Affairs, but there can be no review of the decision.
- 17.2 Similarly, if a veteran has applied for a review of a decision about entitlement to a Disablement Pension, but dies before the review decision, the review may proceed but there will be no right of appeal by the veteran's estate.

Section 215 of Veterans' Support Act

- 17.3 If a veteran applies for an appeal but dies before it is determined, the appeal can be continued by a representative of the veteran.

Section 228 of Veterans' Support Act; Regulation 53 of Veterans' Support Regulations

18. Transitional arrangements

- 18.1 Veterans who had War Disablement Pensions under the War Pensions Act 1954 can stay on these under the Veterans' Support Act. Veterans on a War Disablement Pension cannot add new injuries/illnesses or have existing ones reassessed. They can:
- stay on the War Disablement Pension and apply for treatment/rehabilitation of any new injuries/illnesses that may be service-related; or
 - apply for a Disablement Pension for new injuries/illnesses or to have existing injuries/illnesses to be reassessed.
- 18.2 If they elect to transfer, a Disablement Pension will be granted automatically for injuries/illnesses already covered by their War Disablement Pension. A whole-person impairment assessment using the AMA Guides will be done of:
- each injury or illness already accepted under the War Disablement Pension (to ensure accurate whole-person impairment levels); and
 - any newly accepted injuries or illnesses.
- 18.3 Any injury/illness transferred from a temporary War Disablement Pension will (unless reassessed as permanent) receive a temporary Disablement Pension.
- 18.4 If, during consideration of a veteran's transfer application, they are found to be not entitled to a Disablement Pension due to not meeting service criteria, the application must be declined. If they are reassessed as no longer having a particular accepted injury/illness, a 0% Disablement Pension must be granted.

- 18.5 A veteran meeting all the following criteria must be given the option to cancel his/her transfer application (if they do so, any newly accepted conditions will be eligible for treatment/rehabilitation, but not for pension payments):
- was on War Disablement Pension of 70% or more
 - is reassessed at below 52% whole-person impairment
 - has a spouse, partner, child or dependant.
- 18.6 The veteran's Disablement Pension payment rate must be no less than the rate they were receiving on the War Disablement Pension. As a matter of policy, this applies even if their overall whole-person impairment rate drops. But if it rises, their Disablement Pension payments will rise accordingly.

Clause 6 of Schedule 1 of Veterans' Support Act

Appendix II: Conclusively presumed conditions

Conclusively presumed conditions are conditions that must be automatically accepted as related to qualifying operational service on a specific deployment:

The Minister may specify injuries, illnesses, and conditions that must be treated as service-related if a veteran has—

- (a) been exposed to specific events during qualifying operational service; or
- (b) served at specified times in, or during specified periods of, or in specified deployments during, qualifying operational service.

Section 21 of Veterans' Support Act 2014

Regulations 11 to 14 provide that certain illnesses and conditions in relation to certain events or deployments are to be treated as service-related for the purpose of section 21

Regulation 10 of Veterans' Support Regulations 2014

Below are the events/deployments for which conclusively presumed conditions apply.

Prisoners of war during Second World War (under regulation 11)

For prisoners of war during the Second World War, conclusively presumed conditions are:

- any of the anxiety states
- beriberi
- chronic dysentery
- cirrhosis of the liver
- dysthymia
- heart disease or hypertensive vascular disease, including complications
- helminthiasis (intestinal vermiform parasites)
- hypovitaminosis
- irritable bowel syndrome
- malnutrition (including optic atrophy)
- organic residual of frostbite
- pellagra or other nutritional deficiencies
- peptic ulcer disease
- peripheral neuropathy
- post-traumatic osteoarthritis
- psychosis
- stroke and residuals of stroke.

Exposure to nuclear radiation (under regulation 12)

This category may apply for veterans who served:

- with J Force in Japan within the period 1946 to 1952
- on HMNZS Pukaki or HMNZS Rotoiti within the years 1957 and 1958
- on HMNZS Otago on 22 July 1973
- on HMNZS Canterbury on 28 July 1973.

Conclusively presumed conditions are:

- bronchioloalveolar carcinoma
- leukaemia (all forms except for chronic lymphocytic leukaemia)
- lymphomas, other than Hodgkin's disease
- multiple myeloma
- primary liver cancer, except if cirrhosis or hepatitis B indicated
- cancer of the bile ducts, bone, brain, breast, colon, gall bladder, lung, oesophagus, ovary, pancreas, pharynx, salivary gland, small intestine, stomach, thyroid, urinary tract (renal, ureter, urinary bladder, urethra) all forms of leukaemia, except for chronic lymphocytic leukaemia.

Deployment to Viet Nam (under regulation 13)

For veterans with qualifying operational service in Viet Nam, conclusively presumed conditions are:

- acute and subacute peripheral neuropathy
- AL-type primary amyloidosis
- chloracne
- chronic lymphocytic leukaemia (including hairy-cell leukaemia and other chronic B-cell leukaemia's)
- Hodgkin's disease
- hypertension
- ischaemic heart disease
- multiple myeloma
- non-Hodgkin's lymphoma
- Parkinson's disease
- porphyria cutanea tarda
- prostate cancer
- respiratory cancers (lung, bronchus, larynx, trachea).
- soft-tissue sarcoma
- stroke
- type 2 diabetes.

Gulf Conflict (under regulation 14)

For veterans with qualifying operational service in the Gulf Conflict, conclusively presumed conditions are either of the following:

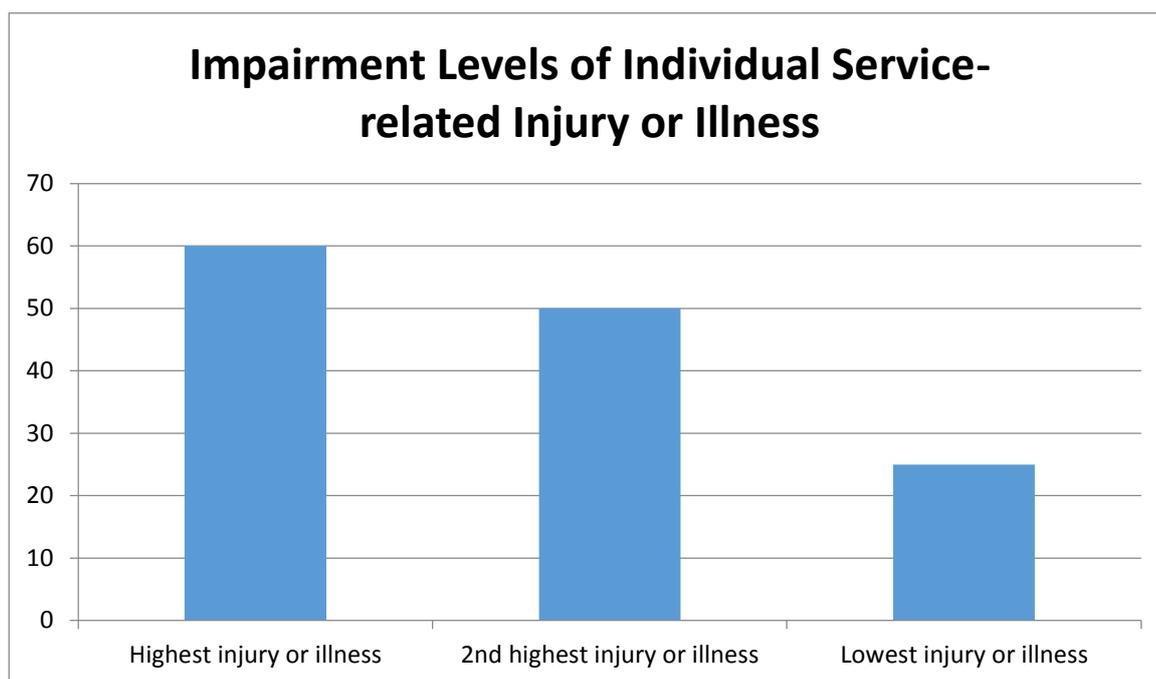
- medically unexplained chronic multi-symptom illness, in existence for at least 6 months and defined by a cluster of signs/symptoms such as chronic fatigue syndrome, fibromyalgia, irritable bowel syndrome
- signs/symptoms of an undiagnosed illness (these may include fatigue, skin symptoms, headaches, muscle pain, joint pain, neurological symptoms, respiratory symptoms, sleep disturbance, gastro-intestinal symptoms, cardiovascular symptoms, menstrual disorders).

Appendix III: Calculation of whole-person impairment

Under the whole-person impairment system a veteran's overall level of impairment is assessed on a scale ranging from 0% to 100%.

The first step in determining what a veteran's level of whole-person impairment is requires an assessment of the impairment arising from each service-related injury or illness using the American Medical Association *Guides to the Evaluation of Permanent Impairment* (4th edition).

The veteran's service-related injuries and illnesses are ranked in order of the highest level of impairment to the lowest level of impairment.



The injury or illness with the highest level of impairment sets the base level of a veteran's level of whole-person impairment. The greater the level of impairment of the highest injury or illness is, the higher the base level of whole-person impairment will be.

Where a veteran has more than one service-related injury or illness causing impairment, the impairment arising from each injury or illness will be combined to determine the level of whole-person impairment.

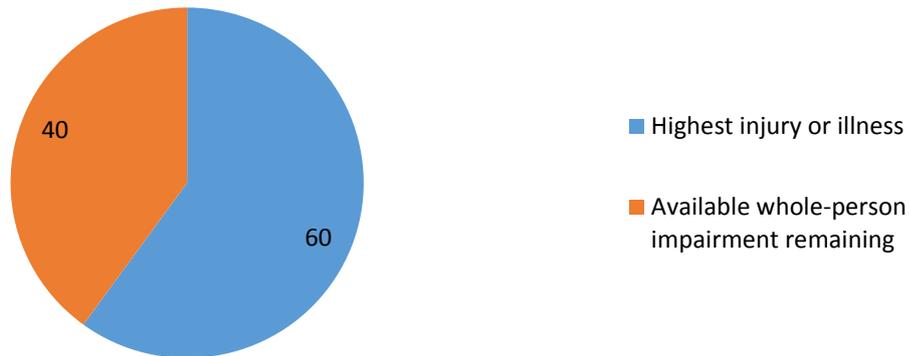
The injury or illness with the highest level of impairment is deducted from 100% to determine the amount of the whole-person impairment scale that is available to be allocated to other service-related impairments that the veteran may have. This is illustrated in Example 1 below.

Example 1 - Highest service-related injury or illness sets baseline

If a veteran's highest injury or illness has been assessed at 60% impairment:

- the veteran's base level of whole-person impairment will be 60%
- 40% of the whole-person impairment scale remains available to be allocated to other accepted injuries or illnesses.

Whole-person Impairment



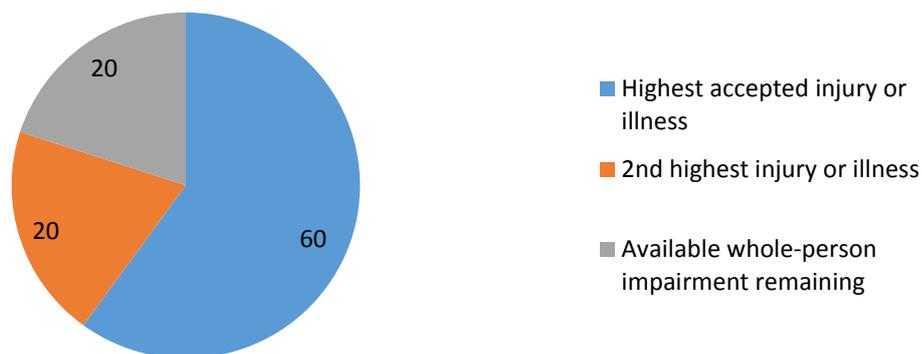
Each successive service-related injury or illness takes a proportion of the remaining part of the whole-person impairment scale. Example 2 illustrates how a second injury or illness (the next highest) adds to a veteran's overall level of whole-person impairment.

Example 2 - Second highest injury or illness

If the veteran from the first example also suffers from a second injury or illness assessed at 50% impairment:

- 60% of the whole-person impairment scale has already been allocated to the injury or illness with the highest level of impairment
- 40% of the whole-person impairment scale remains available
- as the second injury or illness has an impairment level of 50% it is allocated 50% of the remaining 40% portion of the whole-person impairment scale
- this means that the second injury or illness contributes 20% whole-person impairment
- the veteran's total whole-person impairment from these two service-related injuries or illnesses is 80%
- 20% of the whole-person impairment scale remains available to be allocated to other accepted injuries or illnesses.

Whole-person impairment

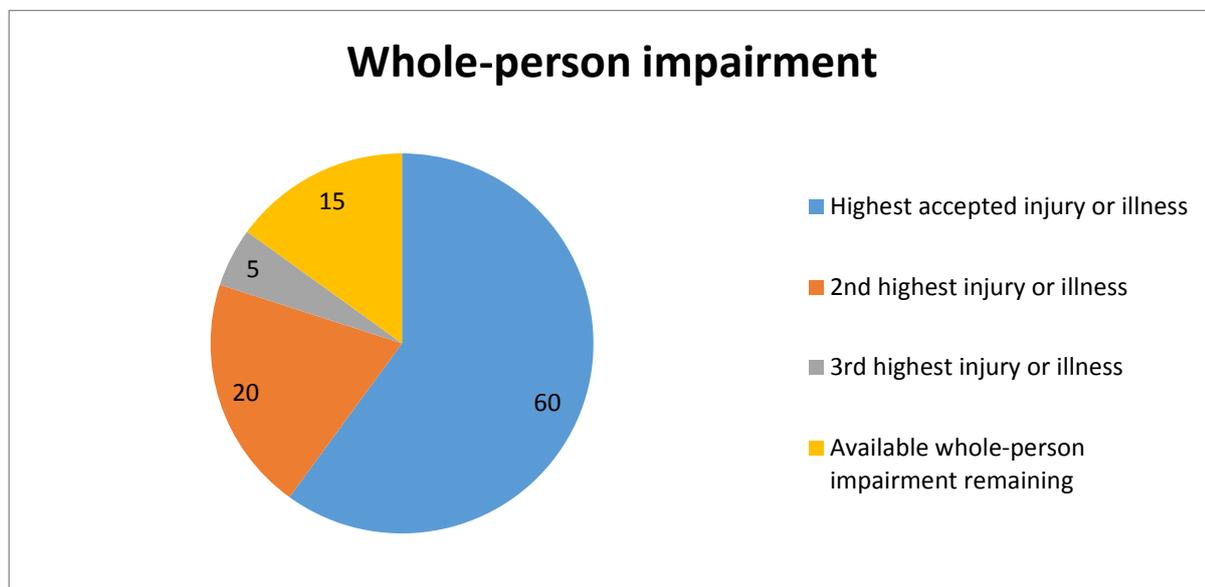


Example 3 illustrates how a third injury or illness adds to a veteran's overall level of whole-person impairment.

Example 3 – Addition of a third injury or illness

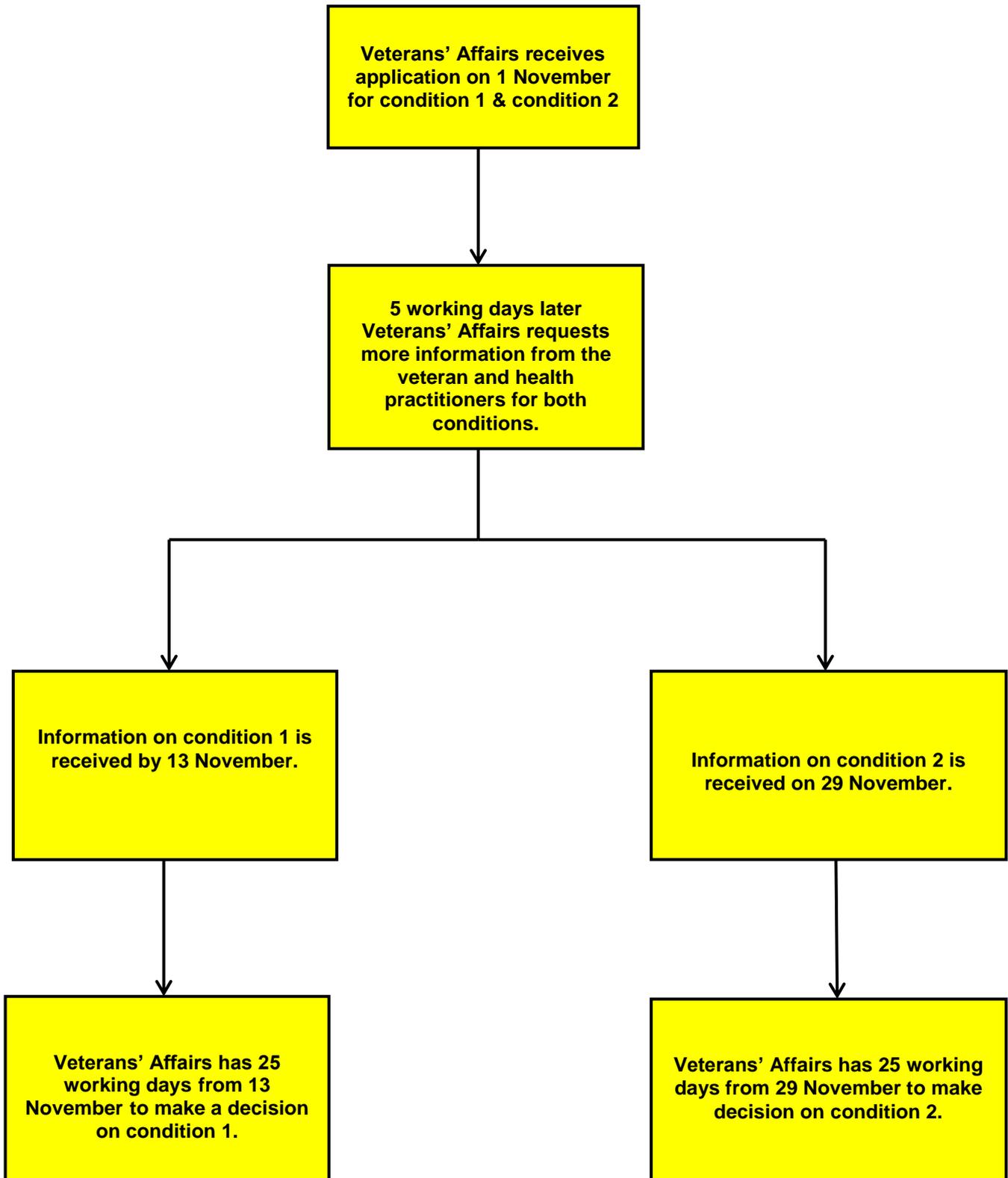
If the same veteran from the first and second examples also suffers from a third injury or illness assessed at 25% impairment:

- 80% of the whole-person impairment scale has already been allocated to the first two injuries or illnesses
- 20% of the whole-person impairment scale remains available
- as the third injury or illness has an impairment level of 25% it is allocated 25% of the remaining 20% portion of the whole-person impairment scale
- this means that the third injury or illness contributes 5% whole-person impairment
- the veteran's total whole-person impairment from all three service-related injuries and illnesses is 85%
- 15% of the whole-person impairment scale remains available to be allocated to other accepted injuries or illnesses.



The whole-person impairment method guarantees that the total whole-person impairment is never greater than 100%.

Appendix IV: Applying the 30 day rule for multiple claims



Glossary

accepted injury or illness [policy definition]

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

health practitioner

[section 5(1) of Health Practitioners Competence Assurance Act 2003, as referenced by section 7 of the Veterans' Support Act 2014]

Means a person who is, or is deemed to be, registered with an authority as a practitioner of a particular health profession

impairment [section 7]

Means a loss or abnormality of psychological, physiological, or anatomical function or structure

medical practitioner [section 7]

Means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine

paired organs [regulation 9]

The following organs are paired organs for the purposes of section 20 of the Veterans' Support Act 2014:

- (a) adrenal glands:
- (b) breasts:
- (c) ears:
- (d) eyes:
- (e) kidneys:
- (f) lungs:
- (g) ovaries:
- (h) testicles.

prisoner [section 3(1) of Corrections Act 2004]

Means any person for the time being in the legal custody under this Act of either of the following persons:

- (a) *the chief executive;*
- (b) *the Commissioner of Police*

prison [section 3(1) of Corrections Act 2004]

- (a) *means a prison established or deemed to be established under section 32;*
and
- (b) *to avoid doubt, includes any land or building declared to be a prison*

prison [section 29(3)(b)]

Includes:

- (i) *a service prison within the meaning of the Armed Forces Discipline Act 1971; and*
- (ii) *an overseas prison.*

qualifying service [section 8]

Means:

- (a) *qualifying operational service; and*
- (b) *qualifying routine service.*

qualifying operational service [section 8(2)]

Means:

- (a) service on any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; and
- (b) service on any deployment declared to be operational service under section 9 of the Veterans' Support Act 2014.

qualifying routine service [section 8(2)]

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

service-related [section 7]

In relation to an injury, an illness, a condition, or a whole-person impairment, means an injury, an illness, or a whole-person impairment caused by, contributed to by, or aggravated by qualifying service

statement of principles [section 14(7)]

Means a statement of principles that, under section 22(6) and regulations made under section 265, applies for the purposes of the Veterans' Support Act 2014.

terminal medical condition [section 53(7)]

Means an advanced progressive disease likely to cause death within the 12-month period referred to in subsection 53(1) of the Veterans' Support Act 2014.

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*
- (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*

working day [section 7]

Means a day of the week other than:

- (a) *a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, and Labour Day; and*
- (b) *if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and*
- (c) *a day in the period commencing on 25 December in any year and ending with 15 January in the following year.*