

# Financial Advice

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# Contents

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<b>Policy</b> .....	<b>3</b>
1. Purpose.....	3
2. Legislative Reference .....	3
3. Purpose of Financial Advice.....	3
4. Eligibility for Financial Advice.....	3
5. Extent of Financial Advice.....	4
6. Applications for Financial Advice .....	4
7. Provision of Financial Advice .....	4
8. Claimants living overseas .....	4
9. Reviews and appeals.....	5
<b>Glossary</b> .....	<b>6</b>

## 1. Purpose

- 1.1 The purpose of this document is to provide guidance on administering entitlement to Financial Advice under the Veterans' Support Act 2014.

## 2. Legislative Reference

- 2.1 The relevant legislation is section 157 of the Veterans' Support Act 2014 (the Act) and regulation 41A in the Veterans' Support Regulations 2014.

## 3. Purpose of Financial Advice

- 3.1 The purpose of Financial Advice is to provide assistance to eligible persons who have received a lump sum payment to enable them to make an informed decision about investing their lump sum payment.

*Section 157 of the Veterans' Support Act 2014*

## 4. Eligibility for Financial Advice

- 4.1 Veterans' Affairs must provide or meet the cost of providing eligible persons with financial advice from an authorised financial adviser under the Financial Advisers Act 2008.

*Section 157 (1) of the Veterans' Support Act 2014*

- 4.2 The entitlements that are eligible for financial advice include:

- a. Lump sum payments payable under section 98 (Scheme Two lump sum payment for permanent impairment)
- b. Aggregated payments payment under cl 55 of Schedule 2 (Scheme Two weekly compensation for surviving spouse or partner)
- c. Any other payment under the Act that is specified in Regulations (no other payment is presently specified)

if the payment is equal to or greater than the **prescribed threshold**.

*Section 157 (1) of the Veterans' Support Act 2014*

- 4.3 The **prescribed threshold** is \$15,000 and is set in Regulations. Any person receiving an entitlement listed in 4.2 that resulted in a payment of at least \$15,000 will be eligible for financial advice.

*Section 157 (1(b)) of the Veterans' Support Act 2014 and Regulation 41A(2) of the Veterans' Support Regulations 2014*

- 4.4 The financial advice must be for the purpose of enabling the veteran to make an informed decision about investing the lump sum.

*Section 157 (2) of the Veterans' Support Act 2014*

## **5. Extent of Financial Advice**

- 5.1 The maximum amount Veterans' Affairs will contribute towards the provision of Financial Advice is \$1,500. Veterans can apply once for every eligible lump sum amount they receive.

## **6. Applications for Financial Advice**

- 6.1 Applicants must apply for Financial Advice within six months of being advised in writing that they have been awarded an eligible lump sum payment. Applicants must provide Veterans' Affairs with the correct, signed application form and supporting evidence if they are claiming a reimbursement. Financial advice can only be paid once the eligibility criteria are found to be met.
- 6.2 Veterans' Affairs is to make a decision on whether it will award costs for financial advice within 30 working days.

## **7. Provision of Financial Advice**

- 7.1 Financial advice can be provided in two ways:
- a. Arranged and paid by Veterans' Affairs. Claimants can contact Veterans' Affairs and request that an appointment be made.  
  
Veterans' Affairs will arrange an appointment with an accredited provider on the claimant's behalf.
  - b. Claimants can arrange to see a financial adviser of their own choosing and seek a reimbursement from Veterans' Affairs. Veterans' Affairs will reimburse if the eligibility criteria set out in sections 4 and 6.1 have been met.  
  
Veterans' Affairs will reimburse up to the maximum amount payable under section 5.1. The claimant will need to provide evidence that the advice provided was:
    - in regards to their lump sum payment (this should be noted on the invoice) and
    - given by an authorised financial adviser (this should also be noted on the invoice).

## **8. Claimants living overseas**

- 8.1 Claimants living overseas will be able to access financial advice through a locally registered financial adviser in their country of residence.

## 9. **Reviews and appeals**

For questions about eligibility for an entitlement or service go to separate policies on **Reviews and Appeals**. For questions about Veterans' Affairs' administration of the entitlement or service go to separate policy on **Complaints**.

## Glossary

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

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

### **Armed Forces** [section 2(1) of the Defence Act 1990]

**Armed Forces** means the Navy, the Army, and the Air Force collectively; and includes any branch, corps, command, formation, unit, or other part of the Armed Forces; but does not include any part of the cadet forces

### **impairment** [section 7]

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

### **medical practitioner** [section 7]

Has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003.

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

Means:

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

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

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]

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.

### **Veterans' Affairs** [section 7]

Means Veterans' Affairs New Zealand (VANZ) established under section 198 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.