

Motor Vehicle Grant

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Policy

1. Purpose

- 1.1 The purpose of this document is to provide guidance on administering veterans' entitlement to Motor Vehicle Grants under the Veterans' Support Act 2014.

2. Legislative Reference

- 2.1 The relevant legislation is the Veterans' Support Act 2014 (the Act), sections 7, 146 – 148, clause 6 of Schedule 1, regulations 29-33 of the Veterans' Support Regulations 2014, section 42 of the Police Act 1958 and section 110 of the Policing Act 2008.

3. The Purpose of the Motor Vehicle Grant

- 3.1 The purpose of the Motor Vehicle Grant is to provide assistance for qualifying veterans by contributing to the cost of modifying or purchasing a **motor vehicle** for personal transport.

Section 147 of the Veterans' Support Act 2014

4. Eligibility for the Motor Vehicle Grant

- 4.1 In order to be entitled to a Motor Vehicle Grant a **veteran** must have:

- total lower body mobility **impairment**; or
- severe lower body mobility impairment.

Section 147 of the Veterans' Support Act 2014

- 4.2 **Total lower body mobility impairment** means a service-related impairment due to:

- paraplegia; or
- amputation of both lower limbs; or
- total or near-total permanent loss of function of the **lower extremity** affecting mobility.

- 4.3 **Severe lower body mobility impairment** means a service-related impairment due to:

- amputation of a lower limb; or
- severe and permanent loss of function of the lower extremity affecting mobility.

lower extremity means that part of the body from both hips (including the pelvis) to the toes of both feet.

Regulation 29 of Part 3 of the of the Veterans' Support Regulations 2014

4.4 A veteran with service-related total lower body mobility impairment is not entitled to a Motor Vehicle Grant under the Veterans' Support Act 2014 if:

- he or she has received a Motor Vehicle Grant (or equivalent Motor Vehicle Loan under the War Pensions Act 1954 – i.e. a recurring loan for amputation of both legs, paraplegia or loss of function for both legs) less than five years previously; or

Regulation 31(2) of Part 3 of the Veterans' Support Regulations 2014

- he or she no longer has need for assistance; or
- the currently owned vehicle is still fit for purpose.

4.5 A veteran with service-related severe lower body mobility impairment is not entitled to a Motor Vehicle Grant under the Veterans' Support Act 2014 more than once, i.e. if he or she:

- has been granted a Motor Vehicle Grant (or non-recurring loan under the War Pensions Act 1954) before for severe lower body impairment.

Regulation 31(1) of Part 3 of the Veterans' Support Regulations 2014

4.6 A veteran who has previously been granted a Motor Vehicle Grant for severe lower body mobility impairment who has since developed total lower body mobility impairment may be considered for a further Motor Vehicle Grant.

5. Recipients with service in the New Zealand Police

5.1 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

6. Applications for Motor Vehicle Grants

6.1 Applications for a Motor Vehicle Grant must be in writing on the form provided by Veterans' Affairs. On receipt of the veteran's application for a Motor Vehicle Grant, the Decision Officer will:

- take into account the degree of lower body mobility impairment, as confirmed by medical assessment as described in section 4 above
- approve or decline the application

- advise the veteran of the decision and refer the file to the Rehabilitation Advisor where grants are approved

6.2 On receipt of advice that the grant has been approved, the Rehabilitation Advisor will consider the veteran's needs for a motor vehicle with advice from an Occupational Therapist as follows:

- where the veteran lives
- whether he or she needs the motor vehicle for work
- the veteran's need for a motor vehicle or for special fitting controls (**Go to section 6**)
- the suitability of the motor vehicle or the special controls for the veteran's impairment and needs
- the cost and condition of the motor vehicle or the special controls
- whether the veteran will be able to drive the vehicle safely
- whether the veteran will be legally permitted to drive the motor vehicle in the country in which the veteran intends to operate the vehicle (including whether the veteran holds or will be able to hold a valid drivers' licence)
- whether the motor vehicle or the special controls comply with or are exempted from applicable laws for the country the veteran intends to drive it in, such as vehicle registration and warrant of fitness
- whether the veteran has or is able to get comprehensive motor vehicle insurance for the motor vehicle
- if the motor vehicle is a mobility scooter or similar vehicle, whether the veteran has a medical certificate that indicates he or she is capable of operating the vehicle
- any previous assistance received from Veterans' Affairs, including but not limited to towards the cost of purchasing a motor vehicle, when (**Go to section 9**), and how much received
- whether the veteran's current vehicle is still in good condition and meets the veteran's needs
- whether the current vehicle can be modified to meet the veteran's needs
- whether the veteran has received any money from the sale of a motor vehicle or any part of a motor vehicle that Veterans' Affairs has previously helped purchase (and if so the amount received). (**Go to section 7**).

Regulation 33 of Part 3 of the Veterans' Support Regulations 2014.

6.3 The vehicle must be supplied by a reputable approved motor vehicle supplier.

7. Special Fitting Grant for Special Driving Controls

- 7.1 As part of the assessment of the veteran's ability to drive the motor vehicle for which he or she is seeking a Motor Vehicle Grant, Veterans' Affairs will assess whether special driving controls need to be fitted. If so, the veteran will be invited to apply for a Special Fitting Grant for these controls (if he or she has not already done so).

Regulation 32 of Part 3 of the Veterans' Support Regulations 2014

8. Reimbursement of Motor Vehicle Grant and Special Fitting Grant Costs

- 8.1 The motor vehicle grant is a tax-free lump sum payment. **Go to separate Factsheet on Rates and Allowances for the maximum Motor Vehicle Grant amounts available in the case of severe lower body mobility payment and total lower body mobility payment, and for the maximum amount available for a Special Fitting Grant.**

Regulations 30 and 32 of Part 3 of the Veterans' Support Regulations 2014.

- 8.2 Evidence of purchase must be provided.
- 8.3 If the veteran received any money from the sale of the vehicle or any part of the vehicle Veterans' Affairs has previously helped purchase, the Rehabilitation Advisor should consider :
- the amount the veteran received
 - the type of vehicle previously owned and the vehicle the veteran now seeks to purchase
 - the amount from the sale of any other vehicle the veteran owns
 - whether in the circumstances the maximum grant is necessary and how much Veterans' Affairs will contribute.

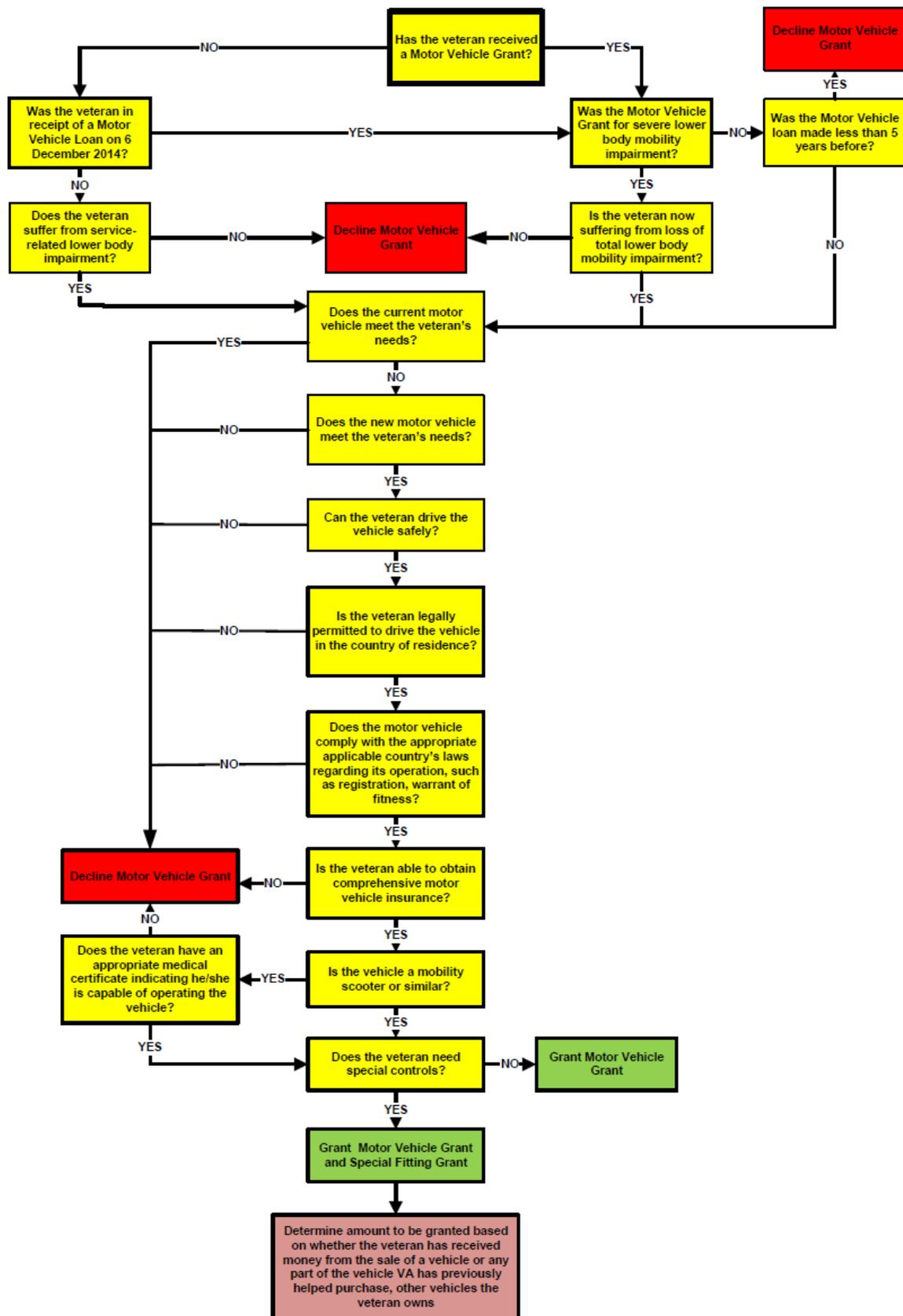
9. Veterans living overseas

- 9.1 The motor vehicle grant policy applies equally to all New Zealand veterans irrespective of their country of residence.

10. Reviews, Appeals and Complaints

- 10.1 If you disagree about a decision concerning eligibility for an entitlement or service **go to separate policies on Reviews and Appeals**. If you are concerned about Veterans' Affairs' administration of an entitlement or service **go to separate policy on Complaints**.

Appendix I: Pathway to Motor Vehicle Grant



Glossary

impairment [section 7]

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

lower extremity [regulation 29(2)]

Means that part of the body from both hips (including the pelvis) to the toes of both feet.

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.

(b) service on any deployment declared to be operational service under section 9 of the Veterans' Support Act 2014.

Review Officer [section 7]

Means a member or a contractor of the Defence Force appointed by the general manager (or by the Chief of Defence Force if section 219(2)(b) applies) to conduct reviews under subpart 2 of Part 7 of the Veterans' Support Act 2014.

severe lower body mobility impairment [regulation 29(1)]

Means a service-related impairment due to:

- (a) amputation of a lower limb; or
- (b) severe and permanent loss of function of the lower extremity affecting mobility

total lower body mobility impairment [regulation 29(1)]

Means a service-related impairment due to:

- (a) paraplegia; or
- (b) amputation of both lower limbs; or
- (c) total or near-total permanent loss of function of the lower extremity affecting mobility.

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