

MINISTER FOR VETERANS

Veterans' Support Amendment Regulations 2025

March 2025

This paper seeks authorisation to submit the Veterans' Support Amendment Regulations 2025 to the Executive Council.

The pack comprises the following documents:

- March 2025 Cabinet Legislation Committee Minute of Decision: *Veterans' Support Amendment Regulations 2025* [LEG-25-MIN-0017];
- The associated Cabinet Paper: *Amendment to Veterans' Support Regulations 2014: Statements of Principles and Accepted Late-Onset Conditions*;
- Annex A to the Cabinet Paper: *List of Statements of Principles for Possible Application in New Zealand by Amendment of Schedule 1 of the Veterans' Support Regulations 2014*; and
- Veterans' Support Amendment Regulations 2025 Order in Council.

This pack has been released on the New Zealand Defence Force website, available at:

www.nzdf.mil.nz/nzdf/search-our-libraries/documents/?document-type=Official+information&sort=relevance.

No information has been withheld.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Veterans' Support Amendment Regulations 2025

Portfolio **Veterans**

On 6 March 2025, the Cabinet Legislation Committee:

- 1 **noted** that, in accordance with section 23 of the Veterans' Support Act 2014, the Minister for Veterans (the Minister) has approved the revocation and replacement of twenty-two Statements of Principles, the revocation without replacement of six Statements of Principles, and the introduction of eight new Statements of Principles relating to conditions that may be causally connected to a veteran's qualifying service;
- 2 **noted** that the Minister has approved revision of the names of two accepted late-onset conditions set out in Schedule 2A of the Veterans' Support Regulations 2014 in order to align them with the Statements of Principles from which they were derived;
- 3 **noted** that the Minister has agreed that five conditions covered by new Statements of Principles adopted since May 2024 be added to Schedule 2A as accepted late-onset conditions;
- 4 **noted** that the proposed changes are not expected to affect the overall Crown liability relating to veteran entitlements;
- 5 **noted** that, in March 2016, the Cabinet Social Policy Committee authorised the Minister of Veterans' Affairs to instruct the Parliamentary Counsel Office to amend Schedule 1 of the Veterans' Support Regulations 2014 to effect revisions to the Statements of Principles without prior reference to Cabinet [SOC-16-MIN-0018];
- 6 **noted** that the Veterans' Support Amendment Regulations 2025 give effect to the decisions referred to in paragraphs 1 to 4 above;
- 7 **authorised** the submission to the Executive Council of the Veterans' Support Amendment Regulations 2025 [PCO 26968/6.0];
- 8 **noted** that the Veterans' Support Amendment Regulations 2025 will come into force on 10 April 2025.

Tom Kelly
Committee Secretary

Attendance: (See over)

Present:

Hon Louise Upston (Chair)
Hon Brooke van Velden
Hon Chris Penk
Hon James Meager
Hon Andrew Hoggard
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG

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AMENDMENT TO VETERANS' SUPPORT REGULATIONS 2014: STATEMENTS OF PRINCIPLES AND ACCEPTED LATE-ONSET CONDITIONS

Proposal

1. This paper seeks agreement to the amendment of Schedule 1 and Schedule 2A of the Veterans' Support Regulations 2014 (the Regulations).
2. Schedule 1 lists the Australian Statements of Principles that apply for the purposes of the Veterans' Support Act 2014 (the Act). Amendment is required to revoke 22 Statements of Principles, replacing them with 22 Statements of Principles, to introduce eight new Statements for Principles and to revoke without replacement six Statements of Principles.
3. Schedule 2A lists accepted-late onset conditions that apply for the Act. Change to the names of two conditions on the list is required in order to align them with the names listed in Schedule 1. Addition of five conditions, and removal of one, is also required.

Background

4. In deciding claims for entitlements under the Veterans' Support Act 2014 (the Act), Veterans' Affairs must assess whether a veteran's medical condition is linked to qualifying service. Statements of Principles are one of the mechanisms under the Act for establishing this causal link. They have been specifically developed for the most commonly claimed conditions that are service-related.
5. The Statements of Principles are determined by the Australian Government Repatriation Medical Authority (RMA) and are regularly reviewed and amended. New Statements of Principles are introduced based on medical-scientific evidence linking the condition to service.
6. A Veterans' Affairs representative (medical practitioner) attends the RMA meetings as an "attending expert". The representative provides input into the RMA's assessment of the medical-scientific evidence and on the proposed revisions to the Statements of Principles and introduction of any new Statements of Principles.
7. New Zealand adopted the Statements of Principles under Schedule 1 of the Regulations. In accordance with section 23 of the Act, I must decide if the Australian revocations and replacements of Statements of Principles, and any new Statements of Principles if there are any, should apply in New Zealand based upon advice from Veterans' Affairs and the independent Veterans' Health Advisory Panel.
8. Cabinet previously authorised [CAB-16-MIN-0131] that the Minister for Veterans will issue instructions to the Parliamentary Counsel Office to draft amendments to Schedule 1 of the Regulations to effect revisions to the Statements of Principles, without further reference to the then Cabinet Social Policy Committee, unless a significant issue relating to the Statements of Principles revisions arises.

9. Accepted late-onset conditions are another mechanism under the Act for establishing a link between a veteran's service and their illness or injury. This mechanism is applied only to veterans whose qualifying operational service took place after 1 April 1974 (Scheme Two). Its purpose was to ensure that families of veterans whose death was the result of a late-onset malignancy or other physical illness, or a mental disorder, receive entitlements under the Act. It was deemed that if accepted late-onset conditions were not defined, the family of a veteran whose death was caused by an event that occurred during qualifying operational service ten or more years prior to the onset of illness may not be covered as causality would be difficult to establish over this time period.
10. The original list of accepted late-onset conditions was based on identifying which conditions were covered by Statements of Principles and then, of those, which had one or more late-onset causative factors.
11. I must approve changes to accepted late-onset conditions as these are specified in Regulations.

Proposed Regulatory Amendment to revise Statements of Principles; and also to add five, remove one, and amend the names of two accepted late-onset conditions

12. In August 2024 and October 2024 Australia repealed and replaced 22 Statements of Principles. I have decided, on the basis of advice from Veterans' Affairs and the Veterans' Health Advisory Panel, that the changes to the 22 Statements of Principles, revocation without replacement of six Statements of Principles, and the introduction of eight new Statements of Principles are based upon sound medical-scientific evidence, that they can be linked to a veteran's qualifying service and that they are suitable for use in New Zealand. The Statements of Principles in question are listed in Annex A.
13. The replacement Statements of Principles have undergone revisions, additions, and deletions of definitions, and of causative factors that link a veteran's injury, illness or death to their qualifying service; and in seven cases a change to the names of the conditions. *Achilles tendinopathy and bursitis* has changed to *Achilles tendinopathy*; *dental caries* has changed to *tooth decay (dental caries)*; *ingrowing nail* has changed to *ingrown nail*; *lipoma* has changed to *subcutaneous lipoma*; *Meniere's disease* has changed to *Meniere disease and Meniere syndrome*; *myelodysplastic syndrome* has changed to *myelodysplastic neoplasm (syndrome)*; and *non-melanotic malignant neoplasm of the skin* has changed to *non-melanoma malignant neoplasm of the skin*.
14. The revocations of the two Statements of Principles for *antiphospholipid syndrome* are recommended for application in New Zealand as the medical-scientific evidence is deemed insufficient to determine factors that might be related to service. The revocations of the four Statements of Principles for *trigeminal neuralgia* and *trigeminal neuropathy* are recommended for application in New Zealand as their content has been largely absorbed into the new Statements of Principles for *trigeminal neuralgia or trigeminal neuropathy*, with revisions to causative factors and definitions.

15. None of the replacement or new Statements of Principles or the revocations will make it significantly harder or easier to link a veteran's condition to service or are likely to result in significantly higher numbers of successful or failed claims.
16. Accepted late-onset conditions are derived from the Statements of Principles. The list of these conditions first came into force in December 2015. The Statements of Principles for *myelodysplastic syndrome* and *non-melanotic malignant neoplasm of the skin* have been renamed *myelodysplastic neoplasm (syndrome)* and *non-melanoma malignant neoplasm of the skin* respectively. Consequential amendment is needed in the list of accepted late-onset conditions.
17. Alignment of names of accepted late-onset conditions will not make it significantly harder or easier to link a veteran's condition to service or result in significantly higher numbers of successful or failed claims.
18. An annual audit has been conducted by Veterans' Affairs of the newly introduced Statements of Principles adopted in New Zealand since January 2023, and those which are listed in this submission, and which will be adopted if Cabinet agrees. The purpose of the audit was to assess whether any of the conditions these Statements of Principles cover meet the criteria set out in section 7 of the Act for accepted late-onset conditions. Of the 14 conditions covered by 28 Statements of Principles adopted in New Zealand since May 2024, three conditions — *Merkel cell carcinoma*, *myocarditis*, and *pericarditis* — are recommended to be added to the list.
19. *Merkel cell carcinoma*, *myocarditis*, and *pericarditis* can be related to specific exposures or events during qualifying operational service that could result in a diagnosis of a malignancy, or other physical or psychological disorder, ten years or more after the qualifying service that subsequently causes the death of the veteran.
20. Since 9 May 2024, one accepted late-onset condition, *gastric ulcer and duodenal ulcer*, has been revoked without replacement. It is recommended that this condition be removed from the list of late-onset conditions at Schedule 2A. This condition has effectively been replaced by two conditions which should be added to the list: *duodenal ulcer and duodenal erosion*, and *gastric ulcer and gastric erosion*.
21. Changes to a Statement of Principles through amendment, revocation (repeal) or new introduction will not impact on any entitlement or service that has previously been granted under the Act. Neither will changes to the name of an accepted late-onset condition, or the addition or revocation of new accepted late-onset conditions impact on any entitlement or service that has previously been granted under the Act.

Timing and 28-day rule

22. It is intended that the Veterans' Support Amendment Regulations 2025 will come into force on 10 April 2025, thus complying with the 28-day rule.

Compliance

23. The proposed amendment to the Regulations to replace Schedules 1 and 2A complies with each of the following:
 - 23.1. the principles of the Treaty of Waitangi;
 - 23.2. the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
 - 23.3. the principles and guidelines set out in the Privacy Act 2020;
 - 23.4. the relevant international standards and obligations; and
 - 23.5. the Legislation Design and Advisory Committee Guidelines (2021) which are maintained by the Legislation Design and Advisory Committee.
24. In accordance with section 23 of the Act, before reaching my decision that 22 Statements of Principles should be revoked and replaced, six Statements of Principles revoked without replacement, and eight newly introduced Statements of Principles adopted, I received reports from Veterans' Affairs and independent advice from the Veterans' Health Advisory Panel. Both recommended the adoption of the proposed changes.
25. I also received a report from Veterans' Affairs on the proposed addition of three conditions (*Merkel cell carcinoma*, *myocarditis*, and *pericarditis*) to the Schedule 2A List of accepted late-onset conditions. The addition of *duodenal ulcer and duodenal erosion* and *gastric ulcer and gastric erosion* is also required as set out in paragraph 20.

Regulations Review Committee

26. There are no grounds for the Regulations Review Committee to draw this regulation amendment to the attention of the House under Standing Order 327.

Certification by Parliamentary Counsel

27. The draft Amendment Regulations have been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Financial Implications

28. The changes to the Statements of Principles; revocations without replacement of six Statements of Principles; addition of eight Statements of Principles for *Merkel cell carcinoma*, *pathological fracture*, *retrocalcaneal heel bursitis*, and *trigeminal neuralgia or trigeminal neuropathy*; and the name change to two accepted late-onset conditions are not expected to affect the overall Crown liability relating to veteran entitlements.
29. The addition of the proposed new accepted late-onset condition *Merkel cell carcinoma* is unlikely to have a significant budgetary impact and is not expected to affect the overall Crown liability relating to veteran entitlements. *Merkel cell carcinoma* is a rare aggressive tumour. Approximately 30% of those diagnosed with *Merkel cell carcinoma* will subsequently die from the condition. However, the annual incidence is less than one case per 100,000 persons. The probability of a claim for *Merkel cell carcinoma*, is negligibly small.

30. The addition of the proposed new accepted late-onset conditions *myocarditis* and *pericarditis* is unlikely to have a significant budgetary impact and is not expected to affect the overall Crown liability relating to veteran entitlements. The annual incidence of *pericarditis* in the population is small with approximately 28 cases per 100,000 persons, associated with a mortality rate of approximately 1%; while the incidence of *myocarditis* is higher with an annual incidence of up to 100 cases per 100,000 persons but with a lower associated mortality outside of hospital. The probability of either condition both causing death in a veteran and being related to specific exposure on operational service more than ten years before, is negligibly small.
31. The addition of *duodenal ulcer and duodenal erosion* and *gastric ulcer and gastric erosion* as accepted late-onset conditions is unlikely to have budgetary impact as they will effectively replace *gastric ulcer and duodenal ulcer* on the list.

Impact Analysis

32. The Regulatory Impact Analysis Team at the Treasury has determined that the regulatory proposals in this paper are exempt from the requirement to provide a Regulatory Impact Statement on the basis that they have no, or minor, impacts on businesses, individuals, or not-for-profit entities.

Publicity

33. Veterans' Affairs will publish the changes on its website.

Proactive Release

34. I intend to release this paper in full apart from any legally privileged material.

Consultation

35. The Treasury was consulted while developing the policy and the amended Schedules 1 and 2A of the Regulations.

Recommendations

36. I recommend that the Cabinet Legislation Committee:
 1. **Note** that in accordance with section 23 of the Veterans' Support Act 2014 I have approved the revocation and replacement of 22 Statements of Principles, the revocation without replacement of six Statements of Principles, and the introduction of eight new Statements of Principles relating to conditions that may be causally connected to a veteran's qualifying service.
 2. **Note** that I have approved revision of the names of two accepted late-onset conditions set out in Schedule 2A of the Veterans' Support Regulations 2014 in order to align them with the Statements of Principles from which they were derived.
 3. **Note** that I have agreed that five conditions covered by new Statements of Principles adopted since May 2024 be added to Schedule 2A as accepted late-onset conditions.
 4. **Note** that I have agreed that one condition should be removed from the list of accepted late-onset conditions at Schedule 2A as it has effectively been replaced by two conditions.

5. **Note** that the proposed changes are not expected to affect the overall Crown liability relating to veteran entitlements.
6. **Note** that Cabinet authorised [CAB-16-MIN-0131] the Minister for Veterans to instruct the Parliamentary Counsel Office to amend Schedule 1 of the Veterans' Support Regulations 2014 to effect revisions to the Statements of Principles without further reference to the then Cabinet Social Policy Committee.
7. **Note** that the proposed amendment of the Veterans' Support Regulations 2014 gives effect to the decisions referred to in recommendations 1 to 4 above.
8. **Agree** that the Veterans' Support Amendment Regulations 2025 will come into force on 10 April 2025, thus complying with the 28-day rule.
9. **Authorise** the submission to the Executive Council of the Veterans' Support Amendment Regulations 2025.

Authorised for lodgement

Hon Chris Penk
Minister for Veterans

Date:

Annex:

- A. List of Statements of Principles for Possible Application in New Zealand by amendment of Schedule 1 of the Veterans' Support Regulations 2014.

**LIST OF STATEMENTS OF PRINCIPLES FOR POSSIBLE APPLICATION IN NEW ZEALAND BY
AMENDMENT OF SCHEDULE 1 OF THE VETERANS' SUPPORT REGULATIONS 2014**

Note: Each condition has two Statements of Principles. The Reasonable Hypothesis version of the Statement of Principles is applied when the veteran's condition is presumed to have arisen due to qualifying operational service. The Balance of Probabilities version of the Statement of Principles is applied when the veteran's condition is presumed to have arisen due to qualifying routine service.

Condition	Statement of Principles Number	
	Reasonable Hypothesis	Balance of Probabilities
Achilles tendinopathy	86/2024 Replacing 96/2015 Name has changed from "Achilles tendinopathy and bursitis"	87/2024 Replacing 97/2015 Name has changed from "Achilles tendinopathy and bursitis"
antiphospholipid syndrome	69/2016 Revoked without replacement	70/2016 Revoked without replacement
fracture	62/2024 Replacing 94/2015	63/2024 Replacing 95/2015
ingrown nail	72/2024 Replacing 106/2015 Name has changed from "ingrowing nail"	73/2024 Replacing 107/2015 Name has changed from "ingrowing nail"
Meniere disease and Meniere syndrome	68/2024 Replacing 108/2015 Name has changed from "Meniere's disease"	69/2024 Replacing 109/2015 Name has changed from "Meniere's disease"
Merkel cell carcinoma	80/2024 NEW SOP	81/2024 NEW SOP
myelodysplastic neoplasm (syndrome)	76/2024 Replacing	77/2024 Replacing

	73/2015 Name has changed from "myelodysplastic syndrome"	74/2015 Name has changed from "myelodysplastic syndrome"
neoplasm of the pituitary gland	70/2024 Replacing 53/2015	71/2024 Replacing 54/2015
non-melanoma malignant neoplasm of the skin	78/2024 Replacing 7/2016 Name has changed from "non-melanotic malignant neoplasm of the skin"	79/2024 Replacing 8/2016 Name has changed from "non-melanotic malignant neoplasm of the skin"
osteoporosis	66/2024 Replacing 98/2014	67/2024 Replacing 99/2014
pathological fracture	64/2024 NEW SOP	65/2024 NEW SOP
pinguecula	60/2024 Replacing 118/2015	61/2024 Replacing 119/2015
retrocalcaneal heel bursitis	88/2024 NEW SOP	89/2024 NEW SOP
subcutaneous lipoma	82/2024 Replacing 100/2015 Name has changed from "lipoma"	83/2024 Replacing 101/2015 Name has changed from "lipoma"
tooth decay (dental caries)	74/2024 Replacing 122/2015 Name has changed from "dental caries"	75/2024 Replacing 123/2015 Name has changed from "dental caries"
trigeminal neuralgia	77/2015 Revoked without replacement	78/2015 Revoked without replacement
trigeminal neuralgia or trigeminal neuropathy	84/2024 NEW SOP	85/2024 NEW SOP
trigeminal neuropathy	79/2015	80/2015

	Revoked without replacement	Revoked without replacement
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Veterans' Support Amendment Regulations 2025

Order in Council

At Wellington this day of 2025

Present:
in Council

These regulations are made under section 265 of the Veterans' Support Act 2014—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Veterans made in accordance with section 23 of that Act.

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Regulations

1 Title

These regulations are the Veterans' Support Amendment Regulations 2025.

2 Commencement

These regulations come into force on 10 April 2025.

3 Principal regulations

These regulations amend the Veterans' Support Regulations 2014.

4 Schedule 1 amended

Amend Schedule 1 as set out in Schedule 1 of these regulations.

5 Schedule 2A amended

Amend Schedule 2A as set out in Schedule 2 of these regulations.

Schedule 1

Schedule 1 amended

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Replace the item relating to Achilles tendinopathy and bursitis with:

Achilles tendinopathy	86/2024	87/2024
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Revoke the item relating to antiphospholipid syndrome.

Revoke the item relating to dental caries.

In the item relating to fracture,—

- (a) replace “94/2015” with “62/2024”;
- (b) replace “95/2015” with “63/2024”.

Replace the item relating to ingrowing nail with:

ingrown nail	72/2024	73/2024
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Revoke the item relating to lipoma.

Replace the item relating to Meniere’s disease with:

Meniere disease and Meniere syndrome	68/2024	69/2024
Merkel cell carcinoma	80/2024	81/2024

Replace the item relating to myelodysplastic syndrome with:

myelodysplastic neoplasm (syndrome)	76/2024	77/2024
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In the item relating to neoplasm of the pituitary gland,—

- (a) replace “53/2015” with “70/2024”;
- (b) replace “54/2015” with “71/2024”.

Replace the item relating to non-melanotic malignant neoplasm of the skin with:

non-melanoma malignant neoplasm of the skin	78/2024	79/2024
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In the item relating to osteoporosis,—

- (a) replace “98/2014” with “66/2024”;
- (b) replace “99/2014” with “67/2024”.

After the item relating to patellar tendinopathy, insert:

pathological fracture	64/2024	65/2024
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In the item relating to pinguecula,—

- (a) replace “118/2015” with “60/2024”;
- (b) replace “119/2015” with “61/2024”.

After the item relating to retinal vascular occlusion, insert:

retrocalcaneal heel bursitis	88/2024	89/2024
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After the item relating to subarachnoid haemorrhage, insert:

subcutaneous lipoma	82/2024	83/2024
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After the item relating to tinnitus, insert:

tooth decay (dental caries)	74/2024	75/2024
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Revoke the item relating to trigeminal neuralgia.

Replace the item relating to trigeminal neuropathy with:

trigeminal neuralgia or trigeminal neuropathy	84/2024	85/2024
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Schedule 2 Schedule 2A amended

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After the item relating to diabetes mellitus, insert:

duodenal ulcer and duodenal erosion

Replace the item relating to gastric ulcer and duodenal ulcer with:

gastric ulcer and gastric erosion

After the item relating to melioidosis, insert:

Merkel cell carcinoma

Replace the item relating to myelodysplastic syndrome with:

myelodysplastic neoplasm (syndrome)

After the item relating to myeloma, insert:

myocarditis

Replace the item relating to non-melanotic malignant neoplasm of the skin with:

non-melanoma malignant neoplasm of the skin

After the item relating to Parkinson's disease and secondary parkinsonism, insert:

pericarditis

Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 10 April 2025, amend the Veterans' Support Regulations 2014 (the **principal regulations**).

Regulation 4 and *Schedule 1* amend Schedule 1 of the principal regulations, which lists the Australian statements of principles (the **statements**) that apply to specific medical conditions for the purposes of the Veterans' Support Act 2014 (the **Act**). The amendments—

- revoke the name and references to statements of 3 conditions (antiphospholipid syndrome, trigeminal neuralgia, and trigeminal neuropathy);
- insert the names of 4 new conditions (Merkel cell carcinoma, pathological fracture, retrocalcaneal heel bursitis, and trigeminal neuralgia or trigeminal neuropathy) and references to statements related to those conditions;
- replace the names and references to statements of 7 conditions (Achilles tendinopathy and bursitis, ingrowing nail, Meniere's disease, myelodysplastic syn-

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drome, non-melanotic malignant neoplasm of the skin, lipoma, and dental caries) to reflect the updated statements:

- replace the references to statements of the following conditions with updated references:
 - fracture:
 - neoplasm of the pituitary gland:
 - osteoporosis:
 - pinguecula.

Regulation 5 and Schedule 2 amend Schedule 2A of the principal regulations, which lists accepted late-onset conditions for the purposes of the definition of accepted late-onset condition in section 7 of the Act. The amendments—

- update the names of 2 conditions (myelodysplastic syndrome and non-melanotic malignant neoplasm of the skin) to align with updated statements of those conditions:
- insert the names of 3 new conditions (Merkel cell carcinoma, myocarditis, and pericarditis):
- replace the name of 1 condition (gastric ulcer and duodenal ulcer) with the names of 2 conditions that have replaced it (duodenal ulcer and duodenal erosion and gastric ulcer and gastric erosion).

The statements are legislative instruments determined by the Australian Repatriation Medical Authority under an Australian Act of Parliament, the Veterans' Entitlements Act 1986. Further information about the statements, as well as a link to the statements, can be found at <https://www.veteransaffairs.mil.nz/for-clients/how-we-make-decisions/conditions-we-cover/statements-of-principles/>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the New Zealand Defence Force.