

MINISTER FOR VETERANS

Veterans' Support Amendment Regulations (No 2) 2025

June 2025

This paper seeks authorisation to submit the Veterans' Support Amendment Regulations (No 2) 2025 to the Executive Council.

The pack comprises the following documents:

- May 2025 Cabinet Legislation Committee Minute of Decision: *Veterans' Support Amendment Regulations (No 2) 2025* [LEG-25-MIN-0103];
- 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 (No 2) 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 (No 2) 2025

Portfolio **Veterans**

On 22 May 2025, the Cabinet Legislation Committee:

- 1 **noted** that in accordance with section 23 of the Veterans' Support Act 2014, the Minister for Veterans has approved the revocation and replacement of 32 Statements of Principles, and the introduction of four new Statements of Principles relating to conditions that may be causally connected to a veteran's qualifying service;
- 2 **noted** that no change to the list of accepted late-onset conditions at Schedule 2A of the Veterans' Support Regulations 2014 is needed;
- 3 **noted** that the proposed changes are not expected to affect the overall Crown liability relating to veteran entitlements;
- 4 **noted** that in 2016, Cabinet authorised 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 [CAB-16-MIN-0131];
- 5 **noted** that the Veterans' Support Amendment Regulations (No 2) give effect to the decisions in paragraph 1 above;
- 6 **noted** that the Veterans' Support Amendment Regulations (No 2) 2025 will come into force on 26 June 2025, thus complying with the 28-day rule;
- 7 **authorised** the submission to the Executive Council of the Veterans' Support Amendment Regulations (No 2) 2025 [PCO 27343/4.0].

Tom Kelly
Committee Secretary

Attendance: (See over)

Present:

Rt Hon Winston Peters
Hon David Seymour
Hon Chris Bishop (Chair)
Hon Paul Goldsmith
Hon Louise Upston
Hon Judith Collins KC
Hon Brooke van Velden
Hon Dr Shane Reti
Hon Todd McClay
Hon Tama Potaka
Hon Simon Watts
Hon Nicole McKee
Hon Casey Costello
Hon Chris Penk
Hon James Meager
Hon Andrew Hoggard
Stuart Smith, MP
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 of the Veterans' Support Regulations 2014 (the Regulations). It does not seek amendment of Schedule 2A of 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 introduce four new Statements for Principles; and to revoke 32 Statements of Principles, replacing them with 32 Statements of Principles.
- 3 Schedule 2A lists accepted-late onset conditions that apply for the Act. No changes to Schedule 2A are 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

- 12 In December 2024 and February 2025, Australia repealed and replaced 32 Statements of Principles, and introduced four new 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 32 Statements of Principles and the introduction of the four 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 linking a veteran's injury, illness or death to their qualifying service. Six have undergone a name change.
- 14 None of the new or replacement Statements of Principles 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.
- 15 Accepted late-onset conditions are derived from the Statements of Principles. The list of these conditions first came into force in December 2015.

- 16 Since January 2023, Veterans' Affairs has regularly audited new Statements of Principles adopted or scheduled for adoption in New Zealand. The purpose is to assess whether any of the conditions covered meet the criteria set out in section 7 of the Act for the list of accepted late-onset conditions. Neither of the two conditions covered by the four new Statements of Principles proposed for adoption in New Zealand are recommended to be added to the list.
- 17 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.

Timing and 28-day rule

- 18 It is intended that the Veterans' Support Amendment Regulations (No 2) 2025 will come into force on 26 June 2025, thus complying with the 28-day rule.

Compliance

- 19 The proposed amendment to the Regulations to replace Schedule 1 complies with each of the following:
- 19.1 the principles of the Treaty of Waitangi;
 - 19.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
 - 19.3 the principles and guidelines set out in the Privacy Act 2020;
 - 19.4 the relevant international standards and obligations; and
 - 19.5 the Legislation Design and Advisory Committee Guidelines (2021) which are maintained by the Legislation Design and Advisory Committee.
- 20 In accordance with section 23 of the Act, before reaching my decision that 32 Statements of Principles should be revoked and replaced, and four 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.
- 21 I also received a report from Veterans' Affairs as to consideration of two conditions (*distal biceps brachii tendinopathy* and *traumatic brachial plexopathy*) for addition to the Schedule 2A List of accepted late-onset conditions. It did not recommend the addition of these conditions.

Regulations Review Committee

- 22 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

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

Financial Implications

- 24 The changes to the Statements of Principles, and addition of four Statements of Principles for *distal biceps brachii tendinopathy* and *traumatic brachial plexopathy*, are not expected to affect the overall Crown liability relating to veteran entitlements.

Impact Analysis

- 25 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

- 26 Veterans' Affairs will publish the changes on its website.

Proactive Release

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

Consultation

- 28 The Treasury was consulted in the course of developing the policy and the amended Schedule 1 of the Regulations.

Recommendations

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 32 Statements of Principles, and the introduction of four new Statements of Principles relating to conditions that may be causally connected to a veteran's qualifying service.
- 2 **Note** that no change to the list of accepted late-onset conditions at Schedule 2A of the Veterans' Support Regulations 2014 is needed.
- 3 **Note** that the proposed changes are not expected to affect the overall Crown liability relating to veteran entitlements.
- 4 **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.

- 5 **Note** that the proposed amendment of the Veterans' Support Regulations 2014 gives effect to the decisions referred to in recommendation 1 above.
- 6 **Agree** that the Veterans' Support Amendment Regulations (No 2) 2025 will come into force on 26 June 2025, thus complying with the 28-day rule.
- 7 **Authorise** the submission to the Executive Council of the Veterans' Support Amendment Regulations (No 2) 2025.

Authorised for lodgement

Hon Chris Penk
Minister for Veterans

Annex

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

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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
arachnoid cyst	11/2025 Replacing 91/2015	12/2025 Replacing 92/2015
benign prostatic hyperplasia	13/2025 Replacing 17/2016	14/2025 Replacing 18/2016
clonorchiasis	25/2025 Replacing 47/2016	26/2025 Replacing 48/2016
distal biceps brachii tendinopathy	3/2025 NEW SOP	4/2025 NEW SOP
eating disorder	15/2025 Replacing 13/2016	16/2025 Replacing 14/2016
ganglion	7/2025 Replacing 71/2016	8/2025 Replacing 72/2016
ischaemic heart disease	27/2025 Replacing 1/2016	28/2025 Replacing 2/2016
Lyme disease/Lyme borreliosis	17/2025 Replacing 25/2016 Name has changed from Lyme disease	18/2025 Replacing 26/2016 Name has changed from Lyme disease
malignant neoplasm of the endometrium	31/2025 Replacing 11/2016	32/2025 Replacing 12/2016
malignant neoplasm of the urethra	19/2025 Replacing 49/2016	20/2025 Replacing 50/2016
opisthorchiasis	21/2025 Replacing 45/2016	22/2025 Replacing 46/2016

Condition	Statement of Principles Number	
	Reasonable Hypothesis	Balance of Probabilities
otosclerosis	23/2025 Replacing 61/2016	24/2025 Replacing 62/2016
peritoneal adhesions	9/2025 Replacing 3/2016	10/2025 Replacing 4/2016
polymyalgia rheumatica	5/2025 Replacing 19/2016	6/2025 Replacing 20/2016
pterygium	33/2025 Replacing 116/2015	34/2025 Replacing 117/2015
tooth loss	29/2025 Replacing 124/2015 Name has changed from loss of teeth	30/2025 Replacing 125/2015 Name has changed from loss of teeth
traumatic brachial plexopathy	1/2025 NEW SOP	2/2025 NEW SOP
visual refractive error	35/2025 Replacing 9/2016 Name has changed from myopia, hypermetropia and astigmatism	36/2025 Replacing 10/2016 Name has changed from myopia, hypermetropia and astigmatism

Veterans' Support Amendment Regulations (No 2) 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 (No 2) 2025.

2 Commencement

These regulations come into force on 26 June 2025.

3 Principal regulations

These regulations amend the Veterans' Support Regulations 2014.

4 Schedule 1 amended

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

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Schedule
Schedule 1 amended

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In the item relating to arachnoid cyst,—

- (a) replace “91/2015” with “11/2025”; and
- (b) replace “92/2015” with “12/2025”.

In the item relating to benign prostatic hyperplasia,—

- (a) replace “17/2016” with “13/2025”; and
- (b) replace “18/2016” with “14/2025”.

In the item relating to clonorchiasis,—

- (a) replace “47/2016” with “25/2025”; and
- (b) replace “48/2016” with “26/2025”.

Insert in their appropriate alphabetical order:

distal biceps brachii tendinopathy	3/2025	4/2025
tooth loss	29/2025	30/2025
traumatic brachial plexopathy	1/2025	2/2025
visual refractive error	35/2025	36/2025

In the item relating to eating disorder,—

- (a) replace “13/2016” with “15/2025”; and
- (b) replace “14/2016” with “16/2025”.

In the item relating to ganglion,—

- (a) replace “71/2016” with “7/2025”; and
- (b) replace “72/2016” with “8/2025”.

In the item relating to ischaemic heart disease,—

- (a) replace “1/2016” with “27/2025”; and
- (b) replace “2/2016” with “28/2025”.

Revoke the items relating to loss of teeth and myopia, hypermetropia and astigmatism.

Replace the item relating to Lyme disease with:

Lyme disease/Lyme borreliosis	17/2025	18/2025
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In the item relating to malignant neoplasm of the endometrium,—

- (a) replace “11/2016” with “31/2025”; and
- (b) replace “12/2016” with “32/2025”.

In the item relating to malignant neoplasm of the urethra,—

- (a) replace “49/2016” with “19/2025”; and
- (b) replace “50/2016” with “20/2025”.

In the item relating to opisthorchiasis,—

- (a) replace “45/2016” with “21/2025”; and
- (b) replace “46/2016” with “22/2025”.

In the item relating to otosclerosis,—

- (a) replace “61/2016” with “23/2025”; and
- (b) replace “62/2016” with “24/2025”.

In the item relating to peritoneal adhesions,—

- (a) replace “3/2016” with “9/2025”; and
- (b) replace “4/2016” with “10/2025”.

In the item relating to polymyalgia rheumatica,—

- (a) replace “19/2016” with “5/2025”; and
- (b) replace “20/2016” with “6/2025”.

In the item relating to pterygium,—

- (a) replace “116/2015” with “33/2025”; and
- (b) replace “117/2015” with “34/2025”.

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 26 June 2025, amend the Veterans' Support Regulations 2014 (the **principal regulations**).

Regulation 4 and the *Schedule* 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 amendments—

- insert new names and references to statements of 3 conditions (Lyme disease/ Lyme borreliosis, tooth loss, and visual refractive error) to replace the names and references to statements of 3 conditions (loss of teeth, Lyme disease, and myopia, hypermetropia and astigmatism):
- insert names and references to statements of 2 new conditions (distal biceps brachii tendinopathy and traumatic brachial plexopathy):
- replace references to statements of the following conditions with updated references:
 - arachnoid cyst:
 - benign prostatic hyperplasia:

- clonorchiasis:
- eating disorder:
- ganglion:
- ischaemic heart disease:
- malignant neoplasm of the endometrium:
- malignant neoplasm of the urethra:
- opisthorchiasis:
- otosclerosis:
- peritoneal adhesions:
- polymyalgia rheumatica:
- pterygium.

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.