



Australian Government
Department of Veterans' Affairs
OFFICE OF THE SECRETARY

Rear Admiral Ken Doolan AO RAN (Retd)
National President
The Returned & Services League of Australia Limited
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COPY

Dear Rear Admiral Doolan

I write to you in light of questions raised at the 2011 State Congresses held in Tasmania and Queensland about how the Department of Veterans' Affairs (DVA) treats voluntary work under the *Veterans' Entitlements Act 1986* (VEA), the *Safety, Rehabilitation and Compensation Act 1988* (SRCA) and the *Military Rehabilitation and Compensation Act 2004* (MRCA).

DVA regards voluntary work in the same way for all three Acts it administers, the VEA, the SRCA and the MRCA. There is no legislated definition of voluntary work in any of these Acts. However, in policy terms, voluntary work is defined as unpaid work for a recognised community or welfare organisation.

DVA encourages veterans and members of the ex-service community to volunteer to assist community or welfare groups. Many thousands of veterans provide immeasurable support to ex-service organisations and other charities. Studies have also shown that volunteering has physical, psychological and social benefits.

I have enclosed the current DVA Factsheet *MRC36 – Voluntary Work* which outlines DVA's policy position on voluntary work in respect of pensions and incapacity payments.

I have also provided copies of this correspondence to the State Presidents for their information. I hope that this information clarifies any concerns regarding the Department's treatment of voluntary work.

Yours sincerely

Ian Campbell
Secretary

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Voluntary Work

Overview

This Factsheet explains what voluntary work is, how it is assessed and how it may affect DVA payments.

What is voluntary work?

Voluntary work is any unpaid work that you do for recognised community or welfare organisations. DVA encourages veterans and members of the ex-service community to volunteer to assist community or welfare groups. Many veterans provide immeasurable support to ex-service organisations and other charities.

Studies have shown that volunteering is beneficial to well-being.

What voluntary work is not

Voluntary work is not unpaid work you do for family, friends or a business enterprise formed for the purpose of making a financial profit.

How is voluntary work assessed?

Undertaking voluntary work does not trigger an automatic reassessment of benefits that you are paid by DVA. This is regardless of whether you are paid under the *Veterans' Entitlements Act 1986* (VEA), *Safety, Rehabilitation and Compensation Act 1988* (SRCA) or *Military Rehabilitation and Compensation Act 2004* (MRCA).

DVA accepts that the conditions under which you undertake voluntary work can be quite different to paid employment. Generally, as a volunteer, you are able to work at your own pace and time and with a greater degree of flexibility than in paid employment. Voluntary work is assessed according to your individual circumstances.

Voluntary work normally does not carry the same pressures and expectations as paid employment.

Incapacity benefits paid under the SRCA or MRCA are reviewed regularly. The review assesses a person's ability to earn during the period and is based on both medical and rehabilitation assessments.

Voluntary Work, *continued*

How can voluntary work affect DVA payments?

If you are receiving a pension or benefit from DVA you need to be aware that some types of unpaid work may affect your payments. Unpaid work for family, friends or a business enterprise formed for the purposes of making a profit is not classified as voluntary work.

If you are receiving incapacity payments and/or certain types of disability pensions, and you do unpaid work in a job that aims to make a profit, then your payment may be affected. This is because this type of work may be assessed as being similar to paid work. You may therefore become ineligible to receive your current rate of pension or incapacity payments. For more information, contact DVA.

Incapacity payments and voluntary work

Incapacity payments are payments for economic loss due to the inability to work, or work at the same level, because of an injury or disease that has been accepted under the SRCA or MRCA.

Incapacity payments are determined by calculating your normal earnings from your ADF employment, less what you are now able to earn.

Your ability to earn is worked out by what you actually earn or what we judge you have the capability of earning, taking into account things like your accepted conditions, your existing skills and any retraining that you may have undertaken.

How are incapacity payments reviewed?

All incapacity benefit recipients are regularly reviewed. The frequency of reviews depends on your level of incapacity.

An incapacity review assesses your ability to earn and is based on rehabilitation and specialist medical assessments. The assessment takes into account your physical and mental capacities, your skills and training, work history, age and so on.

Voluntary work is not a trigger for a review. Undertaking voluntary work does not of itself imply that you are able to work in paid employment. Each case is considered on its individual circumstances.

Voluntary Work, *continued*

Rehabilitation and voluntary work

Rehabilitation is a key feature of the SRCA and the MRCA. Rehabilitation aims to provide the support you need to make a full recovery, reach optimum health and well-being and where possible, return to work. Rehabilitation is important because it reduces the human and economic cost of disability, both to you, and to the broader community.

Participation in rehabilitation, depending on capacity, can be a precondition of compensation for incapacity payments under the SRCA and MRCA. Most people will benefit from rehabilitation and be able to undertake paid employment again.

If you are not able to return to paid employment, voluntary work may be recommended, together with other activities, to assist recovery and foster well-being.

How is voluntary work treated under the VEA?

DVA regards voluntary work in the same way under the VEA, SRCA and MRCA. While the VEA does not have the equivalent of incapacity payments, voluntary work can be taken into account in determining the effect of your war- or defence-caused condition on your general lifestyle.

Obligations

You must tell us within 14 days (28 days if you live overseas or receive remote area allowance) of changes to your circumstances that might affect the rate of payments that you receive. This includes starting work on a voluntary basis, particularly where you are working in an unpaid job that aims to make a profit.

Oral advice

While we make every effort to ensure that you are given accurate information, it is important that you seek written confirmation of oral information or advice before making any major decisions based on that information.

We continually strive to improve the level of service you receive and make this request as an added safeguard for you.

Disclaimer

The information provided in this and other Factsheets is of a general nature and does not consider individual circumstances. DVA Factsheets, and the information it contains, is not binding in any way. You should carefully evaluate the accuracy, currency, completeness and relevance of this information for their purposes before relying on the material in any important matter. You should always obtain any appropriate professional advice relevant to your particular circumstances.

Voluntary Work, *continued*

Other Factsheets

Other Factsheets related to this topic include:

- *MRC 08 Incapacity Payments*
- *MCS 08 Incapacity for Work*
- *MCS 12 Vocational Rehabilitation*
- *HSV108 Veterans' Vocational Rehabilitation Scheme (VVRS)*

More information

All DVA Factsheets are available from DVA offices, and on the DVA website at www.dva.gov.au

You can phone DVA for the cost* of a local call on 133 254 or free call 1800 555 254 if you are outside a major city

Note: *Use a normal landline phone if you can. Mobile phone calls may cost you more. Local call rates vary depending on your phone service provider.

You can send an email to DVA at: GeneralEnquiries@dva.gov.au

You can get more help from any DVA office.