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MINUTE
ACT Office

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SUBJECT: CLARIFYING THE DEFINITION OF VOLUNTARY WORK FOR POLICY PURPOSES AND ITS IMPACT ON THE SPECIAL RATE PENSION

Purpose

To clarify the nature of voluntary work and the effect on Special Rate Pension.

Voluntary Work: Definition

The agreed definition of voluntary work for policy purposes is 'unpaid work for a recognised community or welfare organisation'. Unpaid work for family, friends, or a business enterprise formed for the purposes of making a financial profit is not classified as voluntary work.

Voluntary Work: Policy

Under the *Veterans' Entitlements Act 1986* (VEA), the Repatriation Commission has a general policy approach that voluntary work does not have the same pressure or stress that is inherent in paid employment and should therefore be discounted when assessing a person's eligibility for the Special Rate Pension.

Unpaid work for a not-for-profit organisation or ex-service organisation will generally constitute voluntary work.

However, in each case, the Delegate must be satisfied that the work is voluntary and does not affect the Delegate's assessment of the veteran's incapacity for paid work. Circumstances that may indicate that the case warrants further investigation include:

- The work shows characteristics of remunerative work, such as:
 - It involves set hours and workload: Voluntary work usually allows the person to work flexible hours at their own pace. When a person is performing remunerative work, the employer sets time and pace parameters that the person must meet;
 - Profit is being made from the work undertaken from the veteran (even if the veteran isn't being paid);
 - Work of that kind would usually be paid (eg there are other people working in the same position and being paid).
- The work appears to indicate that the veteran may be able to undertake remunerative work. Indicators may include:
 - The veteran is working excessive hours¹ in the voluntary work;
 - The voluntary work involves duties that would have been undertaken in the veteran's last paid work.

¹ **NOTE:** There is no defined upper limit to the hours of voluntary work a person may undertake, and the hours worked in voluntary work are not linked at all to the eight-hour limit imposed on remunerative work. A high number of hours in voluntary work is not on its own an indication that the veteran is able to work in remunerative work.

Contact

Any queries regarding policy on voluntary work under the VEA should be directed to Veterans' Compensation Policy Section in the ACT location.

SIGNED

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Compensation Policy

31 January 2008