



Military Rehabilitation and Compensation Act 2004 (MRCA)

Information about Cadets, Officers of Cadets and Instructors of Cadets

Purpose

This Factsheet explains when members of the Australian Defence Force (ADF) cadets, Officers of Cadets (OOCs) and Instructors of Cadets (IOCs) are covered for rehabilitation, treatment and compensation under the *Military Rehabilitation and Compensation Act 2004* (MRCA). It also explains the types of benefits that are available where a cadet is injured, contracts a disease or dies as a result of cadet service on or after 1 July 2004.

Who is a Cadet, an Officer of Cadets and an Instructor of Cadets?

The ADF Cadets is a community based, youth development program aimed at youths between the ages of 12 ½ and 20 years of age. Defence Service Chiefs appoint suitable adult volunteers as OOCs and IOCs to supervise and control the training program for, and the activities of, ADF Cadets. A person may not be appointed an OOC unless they have reached 19 years of age. Properly appointed OOCs and IOCs are paid a Cadet Force Allowance based upon the equivalent service rank.

When are Cadets, Officers of Cadets and Instructors of Cadets covered under the MRCA?

All members of the ADF Army, Navy and Air Force cadets, OOCs and IOCs are covered under the MRCA for injury, disease or death related to cadet service on or after 1 July 2004. This includes injury, disease or death:

- sustained while travelling between home and the place where they undertake cadet service, including parades, camps etc;
- to which cadet service on or after 1 July 2004 has made a material contribution; or
- which is aggravated by cadet service.

What types of benefits are available if a Cadet, Officer of Cadets or Instructor of Cadets suffers injury or disease as a result of cadet service?

The MRCA provides a range of benefits, depending on the cadet's particular circumstances and needs. For further information, please see Factsheets:

- *MRC 05 Rehabilitation*
- *MRC 07 Permanent Impairment Compensation Payments*
- *MRC 08 Benefits for Incapacity for Service or Work*
- *MRC 09 Special Rate Disability Pension Safety Net Payment*
- *MRC 10 Motor Vehicle Compensation Scheme*
- *MRC 41 Attendant Care*
- *MRC 42 Household Services*
- *MRC 46 Medical Treatment*

Information about Cadets, Officers of Cadets and Instructors of Cadets, *continued*

A needs assessment will be conducted where compensation is payable to assess the cadet's needs so that the full benefits to which they are entitled are provided. For further information, please see *Factsheet MRC 34 Needs Assessment*

What types of compensation are available if a Cadet, Officer of Cadets or Instructor of Cadets dies?

Compensation for the dependants of a deceased cadet, OOC or IOC may be provided where:

- the death is accepted as related to cadet service on or after 1 July 2004;
- the cadet, OOC or IOC was entitled to Special Rate Disability Pension at some point before his or her death; or
- the cadet, OOC or IOC was entitled to maximum permanent impairment compensation immediately before his or her death.

For further information about compensation for dependants, please see Factsheets:

- *MRC 14 Compensation for Wholly Dependent Partners*
- *MRC 15 Compensation for Eligible Young Persons*
- *MRC 44 Compensation for Other Dependants*

Regardless of the circumstances of the death, bereavement payments may also be available to some dependants. For further information, please see *Factsheet MRC 18 Bereavement Payments*.

Assistance with funeral costs may also be provided even if a cadet, OOC or IOC dies leaving no dependants. For further information, please see *Factsheet MRC 17 Funeral Expenses*

Are there any differences between the benefits available to Cadets and those available to permanent force members and reservists?

All ADF members can receive the same range of benefits. To ensure that cadets, OOCs and IOCs who are incapacitated for work receive incapacity payments that reflect fairly the earnings they have lost, their civilian earnings (and in the case of OOCs and IOCs, their cadet pay and/or ADF pay) can be taken into account in assessing the level of their incapacity payments. Special rules apply to cadets who cannot work or study at all because of their service injury or disease and were not working or were only in casual employment at the time of the incapacity. In these circumstances, the Military Rehabilitation and Compensation Commission looks at each cadet's situation individually to determine the degree of economic loss they are suffering and hence, the level of incapacity payments payable.

Information about Cadets, Officers of Cadets and Instructors of Cadets, *continued*

What about medical treatment for Cadets, Officers of Cadets and Instructors of Cadets?

Before DVA can assist with meeting any costs associated with medical treatment, it is necessary to lodge a claim for acceptance of liability for the injury or disease under the MRCA and for it to be determined that there is liability to pay compensation for that injury or disease.

Once the injury or disease is accepted, DVA can reimburse you for medical treatment reasonably obtained back to the date the injury or disease occurred.

In some instances where the cadet, OOC or IOC suffers severe impairment, treatment is provided for all conditions, whether accepted as service related or not. For further information, please see *Factsheet MRC 46 Medical Treatment*.

How do I go about claiming MRCA benefits for a Cadet?

Where the cadet is under 18, a claim can be made by the person with primary responsibility for the daily care of the cadet (e.g. the cadet's parent, foster parent, step parent or guardian).

For information on how to lodge a claim, please see *Factsheet MRC 25 How to Make a Claim under the Military Rehabilitation and Compensation Act*

To whom is compensation paid

Until the cadet turns 18, compensation is paid to the person who made the claim. Payments can be made direct to the cadet once they reach age 18.

Disclaimer

The information contained in this factsheet is general in nature and does not take into account individual circumstances. You should not make important decisions, such as those that affect your financial or lifestyle position, e.g. retirement, on the basis of information contained in this factsheet. Where you are required to lodge a written claim for a benefit, you must take full responsibility for your decisions prior to the written claim being determined. You should seek confirmation in writing of any oral advice you receive from DVA relating to complex or important matters.

Information about Cadets, Officers of Cadets and Instructors of Cadets, *continued*

Other Factsheets

Other Factsheets related to this topic include:

- *MRC 01 Overview of the Military Rehabilitation and Compensation Act 2004 (MRCA)*
- *MRC 02 Compensation Coverage for Members and Former Members of the Australian Defence Force*
- *MRC 03 Types of Military Service under the MRCA*
- *MRC 04 Compensation Payment Rates (MRCA)*
- *MRC 40 MRCA Supplement*

More information

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

DVA General Enquiries telephone number: 133 254 (metro)
or FreeCall 1800 555 254 (regional callers).

Use a normal landline phone if you can. Mobile phone calls may cost you more.

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