

[REDACTED]

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Veterans' Legislation Reform Feedback

For the record, my name is John [REDACTED], [REDACTED]  
[REDACTED]

In total I served continuously in the Australian Regular Army (ARA) and the Active Army Reserve for a total of 51 years, [REDACTED] until my compulsory retirement from the Army at the age of 70 yrs on [REDACTED]  
[REDACTED]

The Department of Veterans' Affairs (DVA) has accepted my terminal lung disease of Pulmonary Fibrosis effective from 12 December 2020 as set out in its Determination dated 23 August 2021 [REDACTED]  
[REDACTED]

As a Veteran who is currently a DVA Gold Card (EDA) holder, and in receipt of the Extreme Disability Adjustment rate of disability pension that was granted under the Veterans' Entitlement Act (1986), I am now seeking the absolute assurance from the Secretary of the Department of Veterans' Affairs and the Minister for Veterans' Affairs (The Hon Matt Keogh, MP) that the present extant automatic flow on War Widow Pension and DVA Gold Card benefits under the VEA (86) will be preserved for the benefit of my wife of 58 years under the proposed revised Legislation that is being proposed as outlined in the Minister for Veterans' Affairs Media Statement below dated 28 February 2024.

Under the current VEA (86) Legislation, the provision already exists to automatically set up the War Widows Pension and the granting of the DVA Gold Card to Widows of a Veteran who was in receipt of the EDA or ex-PW Pension at the time of their demise.

One 23 August 2021 DVA advised me in an email that the rate of my disability pension had been increased to the Extreme Disability Adjustment (EDA) pension rate effective from 12 December 2020. The same email, copy attached, also reproduced a screenshot with regard to information on the automatic granting of a War Widows Pension, which states interalia:

**When are they automatically paid?** (sic referring to the War Widow/Widowers Pension).

A pension will be granted to a dependant automatically, without the need for further investigation, if the Veteran was:

- An ex-Prisoner of War, or
- Receiving the Extreme Disablement Adjustment.
- **DVA reference:** [www.dva.gov.au/financial-support/support-families/pension-orphans](http://www.dva.gov.au/financial-support/support-families/pension-orphans) and war-widowers

Yours sincerely  
Major John Tilbrook (RL), CSM, RFD, JP

OFFICIAL



**THE HON MATT KEOGH MP**  
MINISTER FOR VETERANS' AFFAIRS  
MINISTER FOR DEFENCE PERSONNEL

**MEDIA RELEASE**

**28 FEBRUARY 2024**

**CONSULTATION NOW OPEN ON VETERANS' LEGISLATION REFORM**

The Albanese Government has today released exposure draft legislation which will simplify and harmonise the century old veterans' entitlements, compensation and rehabilitation system.

The current system is difficult to understand and complex to administer. The Royal Commission into Defence and Veteran Suicide found the system was "so complicated that it adversely affects the mental health of some veterans and can be a contributing factor to suicidality."

Following consultation, the draft legislation will simplify the veteran compensation system, with all claims to be considered under a single Act. Under the new system:

- All new claims for compensation and rehabilitation from the date of commencement would be assessed under a single Act, an improved *Military Rehabilitation and Compensation Act (MRCA)*;
- The *Veterans' Entitlements Act 1986* and the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988* would be closed to new claims following commencement of the new arrangements;
- All benefits being received under existing schemes will continue unaffected under grand-parenting arrangements. Any new claims after the commencement date (including claims for worsening of pre-existing conditions) will be assessed under the improved MRCA.

There will also be a number of improvements including:

- introduction of a new Additional Disablement Amount to provide similar benefits as the Extreme Disablement Adjustment for those post retirement age;
- making the higher travel allowance under MRCA available to all veterans and for all kilometres travelled;
- providing a pathway for veterans currently only covered by DRCA to qualify for the Specialist Medical Review Council and a Gold Card if they have a new claim accepted and
- increasing the general funeral allowance to \$3,000 with the amount previously set at \$2,000.

Today's release of draft legislation follows the Government's earlier consultation on a pathway to simplify the veterans' legislative framework, and provide better support to veterans and their families. Feedback from that consultation has guided the proposed changes announced today.

I welcome feedback and submissions from the veteran community and general public on the draft Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024, submissions close on 28 April 2024.

More information on the proposed legislation changes, and opportunities to provide feedback can be found here – [www.dva.gov.au/legislationreform](http://www.dva.gov.au/legislationreform).

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