



## The Australian Special Air Service Association response to the Legislation - Exposure Draft

*The Australian Special Air Service Association (ASASA) wholeheartedly supports the amalgamation of the three veteran compensation Acts that are currently in force. This reform is well overdue, and its introduction will greatly simplify the claims process for all parties.*

### **Review and Comment Timeline**

The ASASA notes that the final report of the Royal Commission (RC) into Veteran Suicide is due by 9 September 2024 and that final comments regarding harmonisation Exposure Draft are required by 28 April 2024.

There is only a five-month gap between the dates for Exposure Draft comments and the RC Final Report, and because of the importance of the RC and Harmonisation Legislation, we believe that both dates should be aligned.

We also note that at Recommendation 1 in the RC Interim Report it was stipulated that a new Act should be in effect by 1 July 2025. This date will not be met as the proposed implementation date for the new Act is 1 July 2026.

As the 1 July 2025 date has been moved to 1 July 2026, and that there is now more time to consider matters, the ASASA recommends that the date for submissions and suggestions for the Draft Legislation be moved to 30 September 2024. Changing this date will allow for issues that are raised through the current Exposure draft feedback process and in the final RC Report, to be addressed in a widespread and considered manner.

### **DRCA**

The ASASA contends that the proposed legislation is disadvantageous to veterans whose service was such that they are only covered by DRCA. The Exposure Draft indicates that for a DRCA veteran to be assessed for the Gold Card, that they will have to pass the MRCA test of a 5 point whole of person increase. Our contention is that for many this may be difficult.

Presently DRCA veterans do not have the same access to a Gold Card and its provisions. The introduction of the new Act provides a great vehicle to write past wrongs in respect of medical treatment and the concessions that flow from being



the recipient of a Gold Card. Failure to review DRCA veterans at the time of MRCA Mk 2 implementation will only perpetuate past iniquities.

ASASA recommends that on MRCA MK2 implementation date that all DRCA veterans be offered the opportunity to be assessed for the Gold Card and if the threshold is achieved, that it be granted. This process should be just for the Gold Card. After that time, should the veteran have any other claims, normal claim provisions should apply.

### Conclusion

In conclusion, the ASASA supports the harmonisation of VEA, DRCA and MRCA. However, we request that the submission time for comments be amended to 30 September 2024. This change will allow for RC recommendations and Exposure Draft Legislation feedback to be considered at the same time. Taking this approach will be inclusive and welcomed by the veteran community. It will make for better legislation.

ASASA also requests that DRCA veterans be offered the ability for Gold Card assessment at the time of Harmonisation and that they not be subjected to a whole of body impairment increase of 5%, rather that they just meet the Gold Card threshold score.

Should you wish to further discuss our comments, please contact Martin Hamilton-Smith or Michael Carlon.

Yours sincerely,

*Michael Carlon*

Michael Carlon JP  
Volunteer Level 3 Compensation Advocate

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For

Hon Martin Hamilton-Smith  
National Chairman  
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