



Please find below my submission and key points with regard to the proposed (new) Veterans Legislation Act.

1. The suggestion or proposal of a "Office of the National Commission (er) (NC) for ADF and Veterans" is a misnomer and does not benefit anyone apart from the wasteful monies that will be spent on administration instead of Veterans. The suggestion of a Ministerial Advisory Council (another Quango) to provide advice to the Minister for Veterans' Affairs comes across as a group of "thickets" when there should be in place in the new legislation appropriate resources to hold the Minister to account.
2. Need to define true Stakeholders which will facilitate better outcomes for Veterans (and their families), this will ensure compliance and transparency between Veterans and the current Government, Department of the day.
3. Legislation must address the issues between Department of Veterans' Affairs and Services Australia who punish the Veteran with ad hoc support whilst a claim is being determined.
4. The new ACT must encompass and build on the last four pieces of legislation; Veterans Entitlement Act (VEA), Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988 (DRCA), Military Rehabilitation and Compensation Act 2004, (MRCA).
5. The Veteran Gold (Medical) Card should stay as directed under MRCA with the requisite impairment ratings under the VEA or MRCA are eligible.
6. I believe veterans under DRCA or those who will be assessed under their defence employment with no overseas war-like or hazardous service should not receive the Gold Card automatically unless they reach the required 70 points. In the civilian world there is no gold card for medical services, you make a claim, and hopefully you receive some form of compensation.
7. Be very carefully of opening the Gold Card (Pandora box). This will impose an impossible cost on the DVA resources and will lead to rorting, lying and unreliable reports just to obtain the Gold Card. Service in any organisation (whether it is 5, 20 or 30 years) does not come with a guarantee and therefore neither does the gold card.
8. Need to define CLEARLY what is " an eligible young person" ie age limits etc.

9. Remunerative work should be set at less than 15 Hours a week. This would enable the Veteran to retain his/her work and social status and still where possible participate in the community.

10. The current SOP's regime with its dual standard of proof should be retained, although the RMA should review the SOP's casual factors on a more consistent basis.

11. Spouse (What is a spouse?) and Dependant (What is a dependant?) benefits need more clarification. My concern relates to the excessive (Obscene) payment made towards children's education when the Veteran reaches 80 points. There is proof if the payment is made and the Veteran and spouse separate, the monies do not always reach the children for education purposes.

They used to be an Education Team who monitored and ensured the education allowance was for the purpose of the dependants (Children) education and it was paid away each fortnight and when the children reached 16 and still continued on at school and then either TAFE or University they were covered under these payments. This was clearly applicable under VEA. Lump sum payments for Children's education purposes should be a NO.

12. Presumptive Liability also links in with Point 7. Again, in the civilian world, there is no presumptive liability, proof is always required. PAMT is excellent, but again no presumptive liability applied.

13. Under MRCA there should be a mechanism for applying for an increase in their pension should their conditions worsen. You only have to look at the DFRB scenario where their pension reduced and or did not keep pace with inflation or was even indexed.

14. The SRDP needs to be overhauled and completely reviewed. You cannot expect Veterans to live on SRDP payments. I have attached a screen shot of DVA's 'Financial Considerations of SRDP' and believe this to be the most haphazard piece of information for any Veteran who becomes eligible as a SRDP beneficiary.

Financial considerations of SRDP

SRDP is a tax-free payment payable indefinitely, whereas incapacity payments generally cease in line with Age Pension age. But for some former members, the offsetting arrangements that apply to SRDP (see "How is the SRDP payment calculated?") mean that the SRDP amount payable to you may be less than your normal entitlement to incapacity payments.

It is important to note that receiving the SRDP may affect your eligibility for the Family Tax Benefit and other benefits such as Child Support Agency, which is why there is a requirement for financial advice to be obtained prior to making a choice to receive SRDP.

A former member who has a dependent child and is receiving SRDP under the MRCA will qualify for the Pensioner Education Supplement (PES). However, PES is

paid for the benefit of the former member, not to the dependent child. The PES is a fortnightly Services Australia payment, which provides assistance for the benefit of the former member with their ongoing study costs in respect of approved courses of study that they choose to undertake. Approved courses of study are wide-ranging and extend to secondary education, TAFE courses, preparatory courses for entry to tertiary education (including Bachelor and higher degrees through universities and colleges).

Services Australia will confirm whether a course of study is able to be approved when an application is made for PES. Services Australia assesses each applicant's circumstances individually and in some cases, additional criteria may need to be met before a person can be paid the PES. For more information about the PES, please contact Services Australia on [13 24 90](tel:132490).

[Energy Supplement](#) may also be payable to recipients of Special Rate Disability Pension.

This is one area of legislation that needs a complete overhaul. As stated in Point 3, again working with other Government Agencies especially Services Australia is distressing and demeaning for the Veteran.

15. Veterans need to understand what Offsetting arrangements actually mean. This needs to be spelt out clearly in the legislation and what the Actuary Tables determine for the Veteran.

This Submission can be published.

