REPATRIATION ACTS AMENDMENT BILL (NO. 2) 1979

Date Introduced: 11 October 1979
House: House of Representatives
Presented by: Hon. Evan Adermann, M.P., Minister for Veterans' Affairs

Purpose

The Bill amends the Repatriation Act 1920 and the Seamen's War Pensions and Allowances Act 1940 to:

(i) introduce service pensions for allied veterans;
(ii) provide twice yearly indexation of pensions;
(iii) increase the patient contribution payable by service pensioners in benevolent homes.
(iv) increase the fringe benefit allowable income limit;
(v) increase the attendant's allowance and orphan's pension.

Background

Service Pension for Allied Veterans

In the 1977 election policy speech the Liberal Party promised the Service Pension would be made available, on a similar basis as for British Commonwealth veterans, to those veterans who served as members of the formally raised forces of allied countries in any war or warlike operation in which Australia participates. The amendments to the legislation honour that promise.

Automatic Adjustment of Pensions

During 1978 the Social Services Act was amended to provide pension adjustments on a yearly rather than twice yearly basis. The amendments in this Bill restore twice yearly adjustment of pensions. Annual adjustment of pensions had been justified on the grounds of the prospects of a lower rate of inflation. However, this expectation was not realized.
Main Provisions

Allied Veterans

Clause 12 inserts Division 5B (ss.98F-98J) "Extension of Application of Provisions of Division 5 to Certain Members of the Forces of an Allied Country" after Division 5A (Service Pensions) of Part III of the Principal Act.

New s.98G provides that Div. 5 of the Act relating to service pensions extends to male or female members of the forces of an allied country, the wife (defined in s.83(1)) of such a male member, or a child (defined in s.83(1)) of a male or female member. "Member of the Forces of an allied country" is defined in proposed s.98H to include a person who has served in a theatre of war in forces raised by a country not being part of the dominions of the Crown and has also been continuously resident in Australia for at least 10 years. It does not include a person in the forces of a country that has been at war with Australia or engaged in war-like operations against Australia. Forces raised in a country does not include irregular forces but it may include forces of a government-in-exile (sub.s. 98H(2)). Other restrictions applicable to the receipt of service pensions which are specified in Div. 5 will also apply to allied veterans e.g. a person must have reached 60 years of age if a male, 55 years if a female or have become permanently unemployable (s.84). The payment of the new service pensions is not to commence before 7 February 1980. (s.98F).

Indexation of Pensions

Clause 6 amends s.35AAA of the Repatriation Act 1920 and cl. 20 amends s.18AA of the Seamen's War Pensions and Allowances Act 1940 to re-introduce six monthly indexation of pensions administered under those Acts. This is in line with the proposed changes to pensions paid under the Social Services Act 1947.

Pensioner Contributions

Clause 11 inserts a new s.95 to tie the amount deducted from a service pension (including any supplementary assistance), for the maintenance of an inmate of a benevolent home to the minimum statutory contribution payable by patients in non-government nursing homes for their care and treatment. As this would reduce the amount of the pension retained by pensioners from $18.75 per week to $7.95 per week if supplementary assistance is payable, less $5 if supplementary assistance is not payable, a
"savings" provision will apply to ensure that pensioners in benevolent homes when the new provisions are proclaimed are not financially disadvantaged (sub.s. 95(2) and (4)). Subsequent pension increases will be applied toward the maintenance of the pensioner until such time as the amount of maintenance equals the contribution by nursing home patients.

**Fringe Benefit Income Limit**

Clause 13 amends s.123AB of the Principal Act to increase the income limits for all Commonwealth fringe benefits from $1,716 p.a. to $2,080 (single rate) and $1,495 to $1,768 (married rate). This is in line with amendments to the Social Services Act.

**Rates of Allowances**

Clauses 15, 16, 17 amend the Repatriation Act 1920 and clauses 18 and 21 amend the Seamen's War Pensions and Allowances Act 1940 to provide increases in the rates of pensions and allowances which apply from 1 November 1979. The increased rates are set out in the table below.

<table>
<thead>
<tr>
<th>Benefit</th>
<th>Existing $ a week</th>
<th>Proposed from November 1979 $ a week</th>
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<tbody>
<tr>
<td>Attendants Allowance for</td>
<td></td>
<td></td>
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<tr>
<td>- blind veteran, veteran suffering spinal incapacity, severely disabled amputee.</td>
<td>14.70</td>
<td>17.50</td>
</tr>
<tr>
<td>- blind, totally deaf, or mute</td>
<td>29.40</td>
<td>35.00</td>
</tr>
<tr>
<td>Orphans Pension where</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- child in care of mother, or adoptive or step-parent</td>
<td>10.45</td>
<td>12.50</td>
</tr>
<tr>
<td>- both parents deceased or the child is not being maintained by a parent, adoptive parent or step-parent</td>
<td>20.90</td>
<td>25.00</td>
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</tbody>
</table>

24 October 1979

Education and Welfare Group

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