



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

**SUPERANNUATION (SURCHARGE RATE
REDUCTION) AMENDMENT BILL 2003**

Consideration of Senate Message

SPEECH

Wednesday, 8 October 2003

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Wednesday, 8 October 2003
Page 20895
Questioner
Speaker Cox, David, MP

Source House
Proof No
Responder
Question No.

Mr COX (Kingston) (6.13 pm)—Labor's amendment to the Superannuation (Surcharge Rate Reduction) Amendment Bill 2003 would provide the equal rights to superannuation benefits to couples in same-sex relationships as are enjoyed by Australians living in heterosexual relationships. Labor proposed this amendment as a contribution to a fair and just Australia. At present, same-sex couples do not have automatic entitlements to each other's superannuation benefits. This means that they often have to fight long battles to receive the benefits only to find that when they are successful they are denied the tax concessions afforded other fund members.

Where the surviving partner of a same-sex couple is denied the benefits and that person was dependent on the deceased partner, she or he may be left to rely on Commonwealth benefits. This is particularly a problem for elderly same-sex couples who have had been in very long-term relationships. Someone's superannuation is their property and it is unreasonable to provide legal impediments to how they provide for their dependants.

The Human Rights and Equal Opportunity Commission produced a report on discrimination under the law against same-sex couples which highlighted the inequities in superannuation law. This report was written after considerable community consultation. There is also considerable community support for removing this discrimination, judging by the responses to the select committee inquiry into the Albanese private member's bill on same-sex rights. This amendment before us today would redress that situation by changing the definition of a dependant in the Superannuation Industry Supervision Act to include same-sex couples. I commend the amendment to the House.