THE SENATE

BILLS

Veterans' Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019

Second Reading

SPEECH

Tuesday, 17 September 2019

BY AUTHORITY OF THE SENATE
Senator PATRICK (South Australia) (13:35): The Centre Alliance will support the Veterans' Affairs Legislation Amendment (Partner Service Pension and Other Measures) Bill 2019. This bill has three schedules. Schedule 1 will align the entitlements to the partner service pension for separating spouses and de facto partners. This is a sensible amendment, and reflects the modern construction of families. Where couples separate, the non-veteran partner will be entitled to receive the partner service pension for a period of 12 months but, importantly, in cases where separations are a result of domestic violence, the 12-month period will be extended. In his second reading speech, the Minister for Veterans' Affairs, the Hon. Darren Chester, indicated that he will make a legislative instrument under subsection 38(2AD) to extend the period to post-separation entitlement in circumstances of domestic violence until they re-partner. This recognises that victims of domestic violence often take some time before they re-partner and that until they do they will not be financially penalised.

Schedule 2 extends the deeming provision for submariners who participated in special operations between 1 January 1978 and 12 May 1997. These operations will be deemed to have been operational service and this will make it easier for these veterans to establish eligibility for any claims related to service, and they'll be able to receive medical treatment.

Being a former submariner, I know the difficulties associated with some of the security measures around submarine operations. Submariners in the past have gone on operational missions that the Navy would consider as close to warlike service as you can possibly imagine in terms of danger and so forth. They are highly important, and I won't go into the details in the chamber of course, but these operations have over many years kept Australia well informed and safe. The difficulty is when a veteran turns up to seek entitlements: it's very hard to establish those entitlements because some of these operations are classified top secret with code words and, simply, very few people have access to the details. These veterans, due to the nature of their service—serving their country in almost warlike conditions—have great difficulty establishing their service, and this amendment addresses and removes that difficulty. So it's a good thing.

Schedule 3 aligns the Defence Service Homes Act 1918 and the Veterans' Entitlement Act 1986 to modernise the definition of spouse in light of the changes to the Marriage Act. This amendment will remove any references to gender to couples who are married. Centre Alliance will continue to support amendments that make the claims process easier for veterans and their family members. I commend the bill to the Senate.