



Australian Government

**Australian Government Response to the
Foreign Affairs, Defence and Trade Committee
Report**

**Veterans' Affairs Legislation Amendment (2015
Budget Measures) Bill 2015 — Schedule 2.**

January 2017

PREFACE

The Government welcomes the opportunity to provide a response to the Senate Inquiry Report on the Veterans' Affairs Legislation Amendment (2015 Budget Measures) Bill 2015 — Schedule 2, and acknowledges the useful work and recommendations of the Foreign Affairs, Defence and Trade Committee in conducting this Inquiry.

In terms of responding to the recommendations, the following responses have been used throughout this document.

<u>Response</u>	<u>Definition</u>
Agreed	The Government agrees to the recommendation
Agreed in principle	The Government agrees with the underlying principle of the recommendation but has outlined an alternate approach to what has been recommended
Partly agreed	The Government agrees with one part of the recommendation but not the remainder of the recommendation
Not agreed	The Government does not agree with the recommendation
Noted	The Government notes the intent of the recommendation
Not applicable	Government action on the recommendation is no longer required

Recommendation 1

2.38 Subject to the satisfactory completion of the alternate dispute resolution (ADR) trial in NSW and the ACT, the committee recommends that ADR be extended to all other states and territories.

Response: Agreed.

The national roll-out of ADR at the Veterans' Review Board has commenced. ADR has continued in the NSW / ACT registry and is available for all applications lodged in Victoria or Tasmania on or after 30 September 2016. It will be progressively rolled out to other registries starting in early 2017.

Recommendation 2

2.39 The committee recommends that the Explanatory Memorandum be amended to remove any confusion or misunderstanding as to how the single review pathway will function.

Response: Agreed.

This recommendation was actioned, with changes to the Explanatory Memorandum drafted for this Bill as recommended.

Recommendation 3

2.40 The committee recommends that Schedule 2 of the bill be re-referred to the committee for further consideration.

Response: Not applicable.

A Government amendment was made to remove Schedule 2 to the Bill and the amended Bill was passed and received Royal Assent on 11 December 2015.

The *Veterans' Affairs Legislation Amendment (2015 Budget Measures) Act 2015* contained only 2 schedules – Amendments to the Veterans' Vocational Rehabilitation Scheme and the regulation making power to allow for the reinternment of dependants buried at Terendak military Cemetery in Malaysia.

The Government re-introduced legislation to give effect to the single appeal pathway in the Veterans' Affairs Legislation Amendment (Single Appeal Path) Bill 2016 which was passed by the House of Representatives on 2 March 2016, and introduced to the Senate the next day. That Bill lapsed with the prorogation of Parliament on 15 April 2016.

Legislation to give effect to the single appeal pathway was introduced again on 31 August 2016, as Schedule 24 to the Budget Savings (Omnibus) Bill 2016, which was passed by the Senate on 15 September 2016 and received Royal Assent on 16 September 2016.