



RSL AUSTRALIA

Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024

RSL further submission to the Senate Foreign Affairs, Defence and Trade Legislation Committee

September 2024



RSL
Australia

Submission Details

This submission is made on behalf of RSL Australia with agreement from the State and Territory Branches who have each undertaken consultation with their membership.

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The definition of a veteran

RSL Australia (the RSL) thanks the Senate Committee for the further opportunity to make a submission in relation to the *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024* (VETS Bill).

In our previous submissions to the Department of Veterans' Affairs, and to the Senate Committee, the RSL requested that the revised legislation include a definition of the term 'veteran'.

It is noted and understood that the term 'veteran' is not used in the revised legislation and hence the use of the word does not confer any particular eligibility. As stated by DVA - *the definition will have no effect on the operation of the Act as the term 'veteran' is not used in the MRCA*. The RSL National President, Greg Melick noted at the Senate hearing that while he understood and accepted this legal concept, he also gave support to the call to have a definition included.

The Senate Committee appeared to note the submission that it would be helpful to include a definition of the term veteran in the revised legislation. The Deputy Chair asked each of the witnesses about it.

It is noted that DVA confirmed in their address to the Senate that there is no intention for a definition of the word 'veteran' to be included in the revised legislation.

The RSL advocates for inclusion and definition of the word 'veteran' in the revised legislation to clearly recognise, acknowledge and respect Australia's current and ex-serving men and women, and to and strongly reject describing our veterans as just 'persons'. The RSL calls on the Senate to reconsider the current position and refers to our earlier submissions on this topic.

advocates for inclusion and definition of the word 'veteran' in the revised legislation to clearly recognise, acknowledge and respect Australia's current and ex-serving men and women, and to and strongly reject describing our veterans as just 'persons'.

The term to be used for the dependents of deceased veterans.

The RSL notes the submission by Gwen Cherne, Veteran Family Advocate Commissioner to the Senate Committee and has also been approached by Renee Wilson the Chief Executive Officer of the Families of Veterans Guild. The timeframe allowed for a further submission prohibits detailed consultation with the parties on this topic, but the RSL notes the call for a new term to be developed and offers its support.

Gwen Cherne noted the need for incorporating families into the legislation. This is supported by the RSL. She also recommends Wholly Dependent Partner be renamed to **'Bereaved Family Member'** at the second page of her report (No 10).

The RSL notes that the term 'Wholly dependent partner' is defined in Section 6 and specific criteria must be met to satisfy this definition (s17(1))

The Act also provides for other 'bereaved family members' -

- 'eligible young persons', described at s17(2) and s18 and

- compensation for 'dependants other than wholly dependent partners and eligible young persons' - s262

The naming of a what is now termed a 'wholly dependent partner' needs to be more specific than 'bereaved family member' so it can be clearly defined and identified in the legislation. Whilst the Families of Veterans Guild also calls for change at page 1 of their submission - they have not made a suggestion. Similarly, the Australian War Widows Inc and Legacy do not suggest a 'better' term.

The RSL suggests the following terms -

This suggestion acknowledges and accepts the suggestion made by Gwen Cherne, but makes the suggestion for the use of terms that are more specific in relation to the different family members who are to be covered under the Act.

Bereaved Family Member - Partner

Bereaved Family Member - Dependent Child

Bereaved Family Member - Other Dependent

The RSL would be happy to discuss these topics further with the Senate, if requested.