

GOVERNMENT RESPONSE TO THE 27TH REPORT OF THE JOINT STANDING COMMITTEE ON TREATIES

The Government thanks the Joint Standing Committee on Treaties for the comprehensive consideration given to the termination of the Social Security Agreement with the United Kingdom dealt with in its 27th Report. The Report makes four recommendations relating to this treaty action and the Government response to such recommendations is provided below.

Termination of the Social Security Agreement with the United Kingdom

The Government is pleased to note that the Committee supported the Government's proposed treaty action in respect of the Termination of the Social Security Agreement with the United Kingdom. Formal notice of termination of the Agreement was served on the United Kingdom on 1 March 2000. The Agreement will terminate on 1 March 2001.

The Government offers the following response to the recommendations put forward by the Committee in relation to this Agreement.

2.107 The Committee supports the proposed termination by Australia of the *Agreement on Social Security between Australia and the United Kingdom of Great Britain and Northern Ireland.*

The Government notes that the Committee supports its proposed action.

Australia served formal notice of termination on the UK Government on 1 March 2000. The Agreement will officially cease on 1 March 2001.

2.112 The Committee recommends that the Minister for Family and Community Services take appropriate steps to ensure that former residents of the United Kingdom, who migrated to Australia with the expectation that their prior contributory service to the United Kingdom's National Insurance System would be counted as qualifying residence for access to Australian social security benefits, are not disadvantaged by the proposed termination of the *Agreement on Social Security between Australia and the United Kingdom of Great Britain and Northern Ireland.*

The Government notes the Committee's concern for those who may be adversely affected by the termination of the Agreement. It also notes that the Committee recommends extending protection to UK migrants who came to Australia before, on or immediately after 13 July 1999, the date of the Minister's announcement of the proposed termination.

The Government has announced in the 2000-2001 Budget that protection will be provided to UK migrants who came to Australia on or before the date formal notice of termination was served on the UK.

- it contradicts the rationale for taking termination action, which was to send a strong message to the UK that its policy of non-indexation is unacceptable and will not be tolerated any longer
 - it is worth noting that the British Australian Pensioners Association (BAPA) opposed delaying notice of termination because of the need to send a strong message to the UK Government;
- it prolongs the period during which Australian taxpayers are required to meet the costs that rightly should be met by the UK government;
- people intending to migrate have already been given reasonable notice of termination
 - termination will not take effect until almost 20 months after Australia's intention to terminate the Agreement was publicly announced; and
 - the Department of Immigration and Multicultural Affairs commenced providing information to prospective migrants in the UK in October 1999 – it is likely that few people will arrive in Australia in the future without knowing about the proposed termination of the Agreement; and
- Aged migrants from the UK are required to be supported by their sponsors and are all covered by assurances of support.

ATTACHMENT

PENSIONER AND COMMUNITY ORGANISATIONS THAT HAVE BEEN SENT INFORMATION LETTERS ON THE TERMINATION OF THE SOCIAL SECURITY AGREEMENT WITH THE UNITED KINGDOM

AUSTRALIA

Brotherhood of St Laurence
Association of Independent Retirees, Inc
Australian Council of Social Service
Welfare Rights Centre
Australian Pensioners and Superannuants Federation
Combined Pensioners & Superannuants Association
British and Australian Pensioners Association
National Seniors Association
Australian Catholic Social Welfare Commission
Australian Council of Retiree Organisations
Council on the Ageing
Federation of Ethnic Community Councils of Australia

UNITED KINGDOM

The National Federation of Retirement Pensions Associations
The National Pensioners Association
Confederation of Occupational Pensioners Associations (COPAS)
The Public Service Pensioners Council
British Association of Former United Nations Civil Servants (BAFUNCS)
The Civil Service Pensioners Alliance
The Civil Service Retirement Fellowship
The First Division Pensioner's Group
The National Association of Retired Firefighters
The National Association of Retired Police Officers (NARPO)
National Association of Schoolmasters and Union of Women Teachers Retired Members Association (NASUWT)
The National Federation of Post Office and BT Pensioners (NFPOBTP)
The National Health Service Retirement Fellowship
The National Union of Teachers Retired Members Section (NUT)
The Officers' Pensions Society
UNISON
The British Pensioners and Trade Union Action Association (BPTUAA)
The National Pensioners Convention
TUC Pensioners Committee
General, Municipal & Boilermakers Retired Members and Spouses Association
The Transport and General Workers Union Retired Members Association
The Standing Conference of Ethnic Minority Senior Citizens
The Greater London Pensioners' Association