

Chapter 1

Introduction

Background

1.1 The Hon Bruce Billson, Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, introduced the Australian Participants in Nuclear Tests (Treatment) Bill 2006 and Australian Participants in Nuclear Test (Treatment) (Consequential Amendments and Transitional Provisions) Bill 2006 (the Bills) into the House of Representatives on the 14 September 2006. The Bills were passed by the House on the 11 October 2006 and introduced into the Senate on 12 October 2006.

1.2 The Bills relate to Australians who participated in the British nuclear tests conducted in Australia in the 1950s and 1960s. Between 1952 and 1957 British atomic weapons detonation tests were conducted in Australia at Monte Bello Islands off the west coast of Western Australia, and at Emu Field and Maralinga in South Australia. There were also six hundred minor trials, including the testing of bomb components, conducted between 1953 and 1963. The preliminary nominal roll of test participants compiled by the Department of Veterans' Affairs listed 3235 Royal Australian Navy, 1658 Australian Army and 3223 RAAF personnel, as well as 8907 civilians, who were involved in the testing program.¹

1.3 There have been a number of studies into the effects of the nuclear tests on participants. Most recently, the findings of the Australian Participants in British Nuclear Tests in Australia Study were released in June 2006. The study found a higher rate of cancer among the nuclear test participants than the general population. However, the higher cancer rate was not found to be associated with radiation exposure.²

1.4 Entitlements for participants in the nuclear tests have been under consideration for some time. In February 2002 the Government commissioned an independent review of veterans' entitlements. The terms of reference required the review committee to consider perceived anomalies with eligibility for access to *Veterans' Entitlements Act 1986* (VEA) benefits and qualifying service that might be raised by several specific groups, including Australian participants in the British atomic tests. The review committee's report, released in January 2003, recommended that participation by Australian defence force personnel in the British atomic tests

1 The Hon Bruce Scott MP, Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, *Nominal Roll Completed for Atomic Test Studies*, Media Release, 29 June 2001.

2 Gun, R., Parsons, J., Ryan, P., Crouch, P. and Hiller, J., *Australian participants in British nuclear tests in Australia, Vol 2: Mortality and cancer incidence*, May 2006, p. v.

should be declared non-warlike hazardous service and the VEA should be amended to ensure that this declaration could have effect in extending VEA coverage.³

1.5 The Government response to the report stated that the Government would 'respond positively to the needs of those affected by the British Atomic Test programme' when the outcomes of the Australian Participants in the British Nuclear Test Programme – Cancer Incidence and Mortality Study were available.⁴

1.6 Following release of the Australian Participants in British Nuclear Tests in Australia Study, in June 2006 the Hon Bruce Billson MP announced additional health care for the test participants, stating:

Although the study found that the rate of some cancers among the nuclear test participants was higher than in the general Australian population, it did not find any link between the increase in cancer rates and exposure to radiation.

Despite the lack of association between cancer rates and radiation exposure, the Government has decided that it would be appropriate to provide health cover for nuclear test participants who have any form of cancer.⁵

Reference of the Bills

1.7 On 11 October 2006, the Senate adopted the Selection of Bills Committee Report No. 11 of 2006 referring the provisions of the Bills to the Senate Standing Committee on Foreign Affairs, Defence and Trade for inquiry and report by 7 November 2006. On the 7 November 2006 the committee was granted an extension to report to the 8 November 2006.

Purpose of the Bills

1.8 Both Bills form a package designed to provide new health care entitlements for eligible Australian participants in the British nuclear tests. The Australian Participants in Nuclear Tests (Treatment) Bill 2006 provides for non liability cancer testing and treatment for eligible participants. The treatment is to be provided through the Repatriation Commission and the Department of Veterans' Affairs. The second bill provides consequential amendments to the *Aged Care Act 1997*, the *Income Tax Assessment Act 1997*, the *National Health Act 1953* and the *Social Security Act 1991*. The Bill also makes transitional provisions in relation to claims made.

1.9 In his second reading speech, the Hon Bruce Billson stated that the Bills would:

3 Report of the Review of Veterans' Entitlements, List of Recommendations, www.veteransreview.gov.au/report/prelims/recommendations.htm, accessed 11 October 2006.

4 Government's Response to the Review of Veterans' Entitlements (The Clarke Report), www.minister.dva.gov.au/clarke_report.htm, accessed 11 October 2006.

5 *Nuclear Test Participants to Receive Additional Health Care*, Media Release, 28 June 2006.

...implement an undertaking given by the government in 2003 when it announced its response to the review of veterans' entitlements. The undertaking was to respond positively to the health needs of the participants, at the conclusion of the mortality and cancer incidence study of the group.⁶

Submissions and hearings

1.10 The committee advertised its inquiry in *The Australian* on 17 October 2006 and on the Internet. A number of organisations and stakeholders were also contacted and invited to make submissions to the inquiry. A list of the submissions received appears at Appendix 1.

1.11 The committee held one public hearing on 6 November 2006, at Parliament House, Canberra. A list of witnesses who appeared before the committee at that hearing is given in Appendix 2.

Acknowledgement

1.12 The committee thanks all those who assisted with this inquiry.

6 *House Hansard*, 14 September 2006, p. 11.

