

DEBUNKING THE MYTHS ...

... That all peacetime service in the Australian Defence Force (ADF) is covered by just one piece of legislation

Peacetime service is covered under the MRCA, the SRCA and the VEA.

What legislation provides compensation coverage for peacetime service in the ADF?

Injury and death compensation for all service since 1 July 2004 is provided under the *Military Rehabilitation and Compensation Act 2004* (the MRCA). However, coverage for peacetime service before this date will vary according to individual circumstances.

Compensation for all peacetime service since 3 January 1949 is available under the *Safety, Rehabilitation and Compensation Act 1988* (the SRCA), which includes those injuries and deaths which were covered under its predecessor Acts the *Compensation (Commonwealth Government Employees) Act 1971* and the *Commonwealth Employees Compensation Act 1930*, but there is certain service that is also covered by the *Veterans' Entitlements Act 1986* (VEA).

I thought that the SRCA only applied to public servants

The SRCA is the Commonwealth's workers' compensation legislation that applied to all employees of the Commonwealth. This included members and former members of the ADF, reservists, cadets and cadet instructors and certain other persons who hold honorary rank in the ADF, as

well as members of certain philanthropic organisations that provide services to the ADF. Since 1 July 2004, SRCA has not applied to ADF service.

When am I covered by the SRCA?

The SRCA provides compensation coverage for all members and ex-serving members of the ADF from 3 January 1949 until (and including) 30 June 2004. Injuries, deaths and diseases during that period are covered. However, the eligibility criteria varied during this time. Service covered includes:

- being at work, including usual breaks such as lunch;
- travelling between home and work;
- during authorised and published activities outside normal hours of duty; and
- while undergoing approved Career Transition Training around the time of your discharge under an arrangement made by the ADF.

Is VEA meant only for ADF service overseas?

Good question! The VEA is broadly designed to provide eligibility for members of the ADF, and their dependants, who served in wars and other conflicts or in peacekeeping forces. However, there is limited VEA coverage for ADF members who served during peacetime, and this is available where an individual completed at

least three years' service during the period 7 December 1972 to 6 April 1994. This coverage was introduced by the Whitlam Government to assist in the maintenance of ADF personnel levels at the time of the abolition of conscription.

Associated with this Government decision are specific VEA provisions for national servicemen, which provide disability pension eligibility for those service men and women who were serving on 6 December 1972 and who chose to complete the period that they were originally required to serve. The three-year requirement mentioned above for peacetime service during 1972-94 does not apply to national servicemen who completed their period of service, recognising the fact that national servicemen were engaged for less than three years.

Also, any members who enlisted before 22 May 1986 and who served continuously until after 6 April 1994 are also covered for service after that date.

When am I covered by the VEA?

The VEA provides compensation coverage for injuries, diseases and death resulting from defined periods and types of service prior to 1 July 2004. You are covered under the VEA if your injury, disease or death resulted from:

- peacetime service (after completion of a three year qualifying period)

– from 7 December 1972 to 6 April 1994. Members who enlisted before 22 May 1986 and who served continuously until after 6 April 1994 are also covered for service after that date;

- all periods of operational service, peacekeeping service and hazardous service; and
- warlike operations (for example, East Timor, Gulf War) and non-warlike operations.

A member who had not completed the three-year qualifying period before 7 April 1994 is only covered under the VEA, if he/she was medically discharged within that time.

If my service is during the period covered by the VEA, does this mean that I can claim under the SRCA as well?

If your claim relates to an injury, disease or death occurring before 1 July 2004, you may be eligible to claim under both the SRCA and the VEA. Claims are assessed against the relevant criteria of each Act and liability may or may not be found in a claimant's favour, depending on the circumstances of his or her claim and the medical evidence and other evidence which is available.

If you receive a disability pension or a war widow/er's pension under the VEA and you receive additional compensation under the SRCA (in respect of the incapacity or death for which you are being paid a pension under the VEA), the amount of pension is reduced (offset) by the amount of compensation also received. This is to ensure that you do not receive double compensation for the same incapacity or death.

Home power savings

Jean and Jack Filbee from Sydney have joined many other Department of Veterans' Affairs card holders and have taken-up the offer of a free home energy assessment and Power Savings Kit.

By joining the NSW Government's Home Power Savings Program, the Filbees have found out about new ways to save power and they now expect to save at least \$129 each year off their energy bills.

Jean joined the program to find out if there was more she could do to save on her bills.

"We all want to see savings on our quarterly bills as it all adds up throughout the year. Finding out just how much you can save by doing certain things really makes a difference," Jean said.

The program, managed by the Department of Environment, Climate Change and Water NSW (DECCW), is open to all NSW residents who have a DVA Pensioner or Gold or White Repatriation Health Card and most Centrelink card holders.

Thousands of households have joined the program to date and together they are expected to enjoy significant savings each year while reducing carbon pollution.

DECCW Director General Lisa Corbyn said the \$63 million program would make it a little easier for pensioners and other low income earners to manage household energy costs.

"We expect that almost everyone who takes part in this program will be able to save up to 20 per cent off their power use," Ms Corbyn said.

"That can add up to big savings off power bills," she said.

Ms Corbyn said the free Power Savings Kit – worth more than \$200 – is installed



Jean and Jack Filbee.

by an energy expert during the assessment, meaning savings start straight away.

The kit contains a standby saver power board to use on TVs and DVD players, energy efficient light bulbs, a water efficient showerhead, a shower timer, a tap aerator, draught-proofing strips and door snakes.

As well as the free kit, participants also receive expert advice on how much their appliances cost to run. Jean and Jack found out that they can save a further \$135 each year by switching off their second fridge and only using it when really needed.

"My husband and I were really quite impressed with the service. We took the assessor's advice about turning off the second fridge (which was gobbling up power), so we're expecting to see the savings on our next bill," Jean said.

If you want to find out if you are eligible for the Home Power Savings Program or to book your free home power assessment, call 1300 662 416.

If you are not eligible for the program, there are plenty of ways you can save power and money by adopting simple energy saving habits. Visit www.savepower.nsw.gov.au for tips and advice.

Shell-shocked: Australia after Armistice

The Whitlam Institute is proud to host *Shell-shocked: Australia after Armistice* for its first Sydney showing.

Shell-shocked: Australia after Armistice is a touring exhibition from the National Archives of Australia, which explores the personal impact of war on Australian men, women and children and the nation's attempts to recover from the loss or injury of almost three-quarters of its soldiers serving overseas during the First World War.

Date: 1 July – 23 September 2011
Time: Monday to Friday, 10am – 4pm
Cost: \$5.00 entry fee. School groups, veterans and their families FREE.
Venue: Historic Female Orphan School Gallery (Building E2)
 University of Western Sydney
 Cnr James Ruse Drive & Victoria Road
 Rydalmere NSW

For more information please contact the Whitlam Institute on (02) 9685 9187, email info@whitlam.org or visit http://www.whitlam.org/the_program/exhibition_shell-shocked



Developed by the National Archives of Australia with the support from the Department of Veterans' Affairs.

This exhibition is supported by Visions of Australia, an Australian Government program supporting touring exhibitions by providing funding assistance for the development and touring of Australian cultural material across Australia.