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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

FAIR INDEXATION OF MILITARY SUPERANNUATION ENTITLEMENTS BILL 2012

EXPLANATORY MEMORANDUM

and

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

Circulated by authority of

Hon Bob Katter MP

FAIR INDEXATION OF MILITARY SUPERANNUATION ENTITLEMENTS BILL 2012

OUTLINE

This Bill requires fair indexation for military superannuation entitlements for veterans and ex-service personnel.

The Bill stipulates that within six months the Minister for Veterans Affairs must legislate fair indexation to the Defence Force Retirement Benefit Scheme (DFRDBS), the Defence Force Retirement and Death Benefit Scheme (DFRDBS) and the Military Superannuation and Benefits Scheme (MSBS) using the same methodology as the Pensioner and Beneficiary Living Cost Index under the *Social Security Act 1991*.

This method of indexation will be the same as the Australian Age and Service Pensions, which are currently based on the greatest of Consumer Price Index (CPI), the Pensioner and Beneficiary Living Cost Index (PBLCI) and the wages based measure of Male Total Average Weekly Earning (MTAWE).

FINANCIAL IMPACT

The bill will have no financial impact.

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011.

Note: the Human Rights (Parliamentary Scrutiny) Act 2011, which commenced in January 2012, requires that a Member who introduces a bill must cause a "Statement of Compatibility" with human rights to be prepared and presented to the House in respect of the bill.

Human rights are identified in the bill as Australia's obligations under:

- the International Convention on the Elimination of all Forms of Racial Discrimination;
- the International Covenant on Economic, Social and Cultural Rights;
- the International Covenant on Civil and Political Rights;
- the Convention on the Elimination of All Forms of Discrimination Against Women;
- the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- the Convention on the Rights of the Child; and
- the Convention on the Rights of Persons with Disabilities.

For further guidance, and template Statements of Compatibility, see [the Attorney-General's Department's website](#).

This bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the Human Rights (Parliamentary Scrutiny) Act 2011.

Hon Bob Katter MP