

**WARNING:**

*This Digest was prepared for  
debate and should not be taken  
as a complete guide to the legislation  
which may reflect amendments.*

## **Veterans' Affairs Legislation Amendment Bill 1989**

**Date Introduced:** 3 May 1989

**House:** House of Representatives

**Presented by:** Hon. Ben Humphreys, M.P., Minister for Veterans' Affairs

### **Digest of Bill**

#### **Purpose**

The main amendments contained in this Bill will provide certain pensions and benefits to Australian defence force personnel who serve with the United Nations Transition Assistance Group (UNTAG) in Namibia.

#### **Background**

South West Africa or Namibia was a German colony until it was annexed by South Africa in World War I. After the war it was mandated to South Africa by the League of Nations. After World War II, the United Nations (UN) asked South Africa to place Namibia under UN trusteeship. South Africa refused. The South West African Peoples Organisation (SWAPO) has been fighting South Africa for control of Namibia since 1972, principally from bases in neighbouring Angola.

With the signing of the Brazzaville Protocol in 1978, by South Africa, Cuba and Angola, formally accepted UN Resolution 435 (1978), which outlined a blueprint for Namibian independence. April 1, 1989 was the date set for implementation of Resolution 435. Over the transition period, it is intended that South African troops withdraw from Namibia, Cuban and African National Congress troops from Angola, and SWAPO be allowed to participate in elections, to be held in November 1989, for a Namibian government. UN Resolution 435 envisaged that UNTAG, within approximately seven months of its arrival, would supervise elections for a Namibian Constituent Assembly that would draw up a constitution and monitor the implementation of the transition to independence. A total of 7 500 military personnel were authorised by Resolution 435 as the upper limit for UNTAG.

Australia has had a contingent of army engineers on standby, to form part of UNTAG, since 1979. The Australian contingent comprises approximately 300 engineers and support staff. It consists of a Chief Engineer headquarters; an engineer squadron, a resources troop, a plant troop and a field troop; and a construction squadron workshop. The contingent also includes communications and medical support. Two reservists will participate with the first contingent and reservist engineer tradesmen will participate in later rotations of personnel. The Australian contingent will mainly comprise the 17th Construction Squadron. The Australian contingent will undertake engineering projects in support of the

UN Force including: construction of roads, bridges, aircraft strips, accommodation, observation posts, and clearance and disposal of mines.<sup>1</sup> The first contingent of Australian soldiers (38 Army engineers), left Australia on 9 March 1989.

## **Main Provisions**

### **Amendments to the *Australian War Memorial Act 1980***

Under section 35 of the Act, the Memorial is not, without Ministerial approval, to enter into contracts for the acquisition of historical materials where they cost more than \$100 000, or \$50 000 for any other contract. Clause 5 provides for increased limits of \$250 000 and \$150 000. In addition, these limits will not apply in respect of the Memorial investing moneys not required for immediate use.

### **Amendments to the *Defence Service Homes Act 1918***

Clause 7 will extend eligibility for housing assistance under the Act to Australian soldiers who were members of UNTAG. Clause 7 will operate from 18 February 1989.

### **Amendments to the *Veterans' Entitlements Act 1986***

Clause 10 provides that compensation from the West German Government for victim's of National Socialist persecution is not to be taken into account as 'income' for the purposes of the income test on service pensions.

Clause 11 will extend eligibility for service pension and remote area allowance under the Act to Australian soldiers who were members of UNTAG. The clause will operate from 18 February 1989.

A new section 126A will be inserted into the Act by clause 13 to allow a an authorised person to continue an action started by the lodgement of an informal claim by a deceased pension claimant. The clause will operate from 22 May 1986.

Clause 15 will amend Schedule 2 of the Act by inserting a new item 9 which will define the operational area applicable to service with UNTAG in Namibia, and provide that the period during which the area will be considered operational as having commenced on 18 February 1989.

## **References**

Minister for Defence, *News Release*, 2 March 1989.

For further information, if required, contact the Defence Group.

5 June 1989

Bills Digest Service  
Legislative Research Service

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

© Commonwealth of Australia 1989

Except to the extent of the uses permitted under the *Copyright Act 1968*, no part of this publication may be reproduced or transmitted in any form or by any means, including information storage and retrieval system, without the prior written consent of the Department of the Parliamentary Library. Reproduction is permitted by Members of the Parliament of the Commonwealth in the course of their official duties.

D

Q