

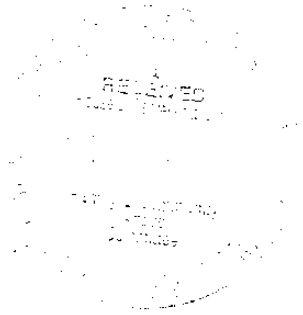
Submission No: 579

Date Received: 12-8-03

Secretary:

[REDACTED]

Committee Secretary
Standing Committee on Family & Community Affairs
Child Custody Arrangement Inquiry
Dpt of House of Representatives
Parliament House
CANBERRA ACT 2600



Please accept my submission as to your inquiry into Child Custody Arrangements.

My concern is the liability of Vietnam Veterans to pay the correct amount of child support maintenance for their children.

Previous correspondence, that I received from the Minister of Veteran Affairs 18 January 2002 states that *Veterans' Entitlements Act 1986 (VEA)* provides that a pension is absolutely inalienable. The legislation, does not prevent other Government departments or agencies taking into account Veterans' Affairs pensions allowances or other pecuniary benefits paid under VEA as income.

I was further advised that under the *Child Support (Assessment) Act 1989* requires non-custodial parents to pay a minimum of \$260 per annum in child support. Further that, *Child Support (Registration and Collection) Act 1988* allows for periodic deduction from the non custodial parents' social security pension or benefit. However, when these provisions were legislated, Veteran Affairs pension recipients were not identified in the legislation.

Correspondence received from Child Support 18 February 2002 stating, the *VEA 1986 (the Act)* prevents the CSA from collecting child support payments from Veterans pensions under Subsection 125 (1) of the Act provides that a pension or allowance cannot be garnished. The *Social Security Act 1991* has no such provisions with regard to Centrelink benefits.

Due to VEA not being under the legislation to disclose the income of pension recipients the CSA is unable to give a fair & correct assessment of what a Veteran should be paying in child support, resulting in CSA to accept assessment based on a minimum annual income.

To date I receive an amount of \$21.67 per month, based on an estimated annual income of \$260 for child support.

As a Sole Parent, I am concerned about the current legislation in place and hope that your inquiry into Child Custody Arrangements, will enforce a change to enable Veteran Affairs to disclose to Child Support Agency the income of recipients as well to allow their pensions to be garnished.

Yours sincerely

[REDACTED]

13 August 2003



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