

## Treatment Principles (Australian Participants in British Nuclear Tests) 2006

*FRLI: F2013L02031*

*Portfolio: Veterans' Affairs*

*Tabled: House of Representatives and Senate, 4 December 2013*

### Summary of committee concerns

2.175 The committee seeks further information on the measure which addresses 'double-dipping' and how it is consistent with the right to health.

### Overview

2.176 This instrument modifies the Treatment Principles (No. R52/2013) made under the *Veterans' Entitlements Act 1986* in the application of the principles to persons eligible for treatment under the *Australian Participants in British Nuclear Tests (Treatment) Act 2006*.

### Compatibility with human rights

#### *Statement of compatibility*

2.177 The statement of compatibility that accompanies the instrument states that the instrument engages the right to health. The statement states that the instrument remakes an earlier instrument and that 'the only change to existing arrangements is that an authorised nurse practitioner will be able to refer an eligible person to a [Department of Veterans' Affairs]-contracted community nursing provider.'<sup>1</sup> This measure is said to promote the right to health as it could enable an eligible person to receive community nursing services more quickly.

2.178 The statement of compatibility also refers to a 'negative measure' aimed at preventing 'double-dipping' by recipients of rehabilitation appliances.<sup>2</sup> The statement does not identify the specific provisions in the instrument that address 'double dipping'<sup>3</sup> or explain the specific circumstances in which 'double dipping' might arise. The statement concludes that the measure is a legitimate limitation on the right to health and does not detract from the right but prevents it from being abused.

**2.179 The committee intends the write to the Minister for Veterans' Affairs to seek further information on the measure addressing double-dipping and how it is compatible with the right to health.**

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1 Explanatory statement, p. 3.

2 Explanatory statement, p. 4.

3 It appears that items 34, 37 and 44 of the instrument may relate to preventing 'double-dipping'.

