



Office of Hon Judith Collins

MP for Papakura

Minister of Police

(includes responsibility for Serious Fraud Office)

Minister of Corrections

Minister of Veterans' Affairs

24 FEB 2011



Professor John Campbell
Chair
Ministerial Advisory Group on Veterans Health
PO Box 5146
Wellington

Dear Professor Campbell

I am writing to confirm the discussion at our meeting on 8 February 2011.

I accept the advice of the Ministerial Advisory Group that there should be no change to the current list of conditions that are presumptively accepted as being service related due to a veteran being exposed to ionizing radiation.

I confirm that I would like the Advisory Group to proceed with the commissioning of a critical review of the literature written for lay readership. I would like this done as soon as possible as I would like to release this to the New Zealand Nuclear Test Veterans Association (NZNTVA) when I release the Advisory Group's findings.

At our meeting, on 8 February 2011, we discussed the action that various New Zealand Governments have taken to acknowledge and recognise the veterans of Operation Grapple.

Not all deployments have coverage under the War Pensions Act 1954. As Operation Grapple occurred prior to 1 April 1974, it had coverage under the Act from the time of the deployment for health issues that were attributable to, or aggravated by, service. This coverage was in lieu of workers compensation.

In order to recognise the risk associated with the deployment, the veterans of Operation Grapple had the status of their war pension coverage changed from 'routine' to 'emergency' in March 1998. This meant that any claims made for a War Disablement Pension from this time forward were considered using the more relaxed evidential provisions of the War Pensions Act 1954. Any claims declined for conditions that the veterans believed were related to exposure to ionizing radiation prior to that time could be reconsidered.

In order to improve the War Disablement Pension claims decision process for veterans who have conditions that have been linked to exposure to ionizing

radiation, a list of presumptively accepted conditions was introduced in August 2007. The presumptive lists are based on the list used by the US Department of Veterans' Affairs. The lists used by the US Department of Veterans' Affairs are based on the lists in the US Radiation Exposure Compensation Act (enacted 1990).

- // In April 2000, the NZNTVA received a one-off grant of \$200,000 to further its aims and objectives as defined in its Charitable Trust Deed.
- // In July 2002, in response to a request for medallic recognition, the veterans of Operation Grapple and Mururoa were recognised with the New Zealand Special Service Medal (Nuclear Testing).

At the 8 February meeting, we also discussed the support provided to Nuclear Test veterans by other countries.

The USA provides similar coverage to New Zealand for conditions on the presumptive list. For conditions not on the presumptive list, there is a requirement that there is a direct link to service. The USA also undertakes 'dose reconstruction' to estimate the degree of exposure, and assess the duration of the exposure and the elapsed time between exposure and the onset of the disease. They also consider family history and non-service related activity.

Australia does not give disability pensions to Nuclear Test veterans. After research into 10,983 participants of the tests at Maralinga, the decision was made not to change this policy. This research was published in 2006. Australia does provide non liability cancer treatment for the participants of the tests at Maralinga through the Department of Veterans' Affairs. This is in lieu of paying disability pensions.

British Nuclear Test veterans can make a claim for a disability pension if they were injured or disabled as a result of their service. In order for a Nuclear Test veteran to be awarded a disability pension, there would need to be clear evidence of a relationship to service. In assessing any claims, the radiation dose levels and degree of exposure are considered.

Further information on the amount of support provided to New Zealand veterans with service related disability is attached at Appendix 1. This includes a set of scenarios detailing what veterans at various levels of pension receive.

Yours sincerely



Hon Judith Collins
Minister of Veterans' Affairs

Appendix 1

The following scenarios are examples of what an Operation Grapple veteran who is in receipt of a War Disablement Pension¹ might be receiving.

Given the date when the deployment took place and the age of the veterans², all of them will all also be in receipt of New Zealand Superannuation or Veteran's Pension.

If the veteran was not over the age of retirement then they could receive their War Disablement Pension in addition to any other income (employment or other financial assistance).

60% War Disablement Pension	100% War Disablement Pension	160% War Disablement Pension
NZ Superannuation, Accommodation Supplement and Disability Allowance.	Veteran's Pension (equivalent to NZ Super), Accommodation Supplement and Disability Allowance	Veteran's Pension (equivalent to NZ Super), Accommodation Supplement and Disability Allowance
War Disablement Pension of 60% paid at \$119.43 taxfree per week.	War Disablement Pension of 100% paid at \$199.05 taxfree per week.	War Disablement Pension of 160% paid at \$350.34 taxfree per week.
There is a range of other allowances payable dependent on circumstances. For example battery allowance for veterans with who have been provided with hearing aids under the war pensions legislation.		
Case manager that coordinates their care	Case manager that coordinates their care	Case manager that coordinates their care
VANZ meets the cost of all health care for service related conditions - approx \$1800 per year. Access to income and asset tested Community Services Card (CSC)	VANZ meets the cost of all health care for service related conditions - approx \$1800 per year. Veteran and their partner receive a CSC without income or asset test as a result of being in receipt of a Veteran's Pension. Veteran's Pension does not cease if veteran is hospitalised for 13 weeks or more.	VANZ meets the cost of all health care for service related conditions - approx \$1800 per year. Veteran and their partner receive a CSC without income or asset test as a result of being in receipt of a Veteran's Pension. Veteran's Pension does not cease if veteran is hospitalised for 13 weeks or more.

¹ the rates of payment are the 1 April 2011 rates

² HMNZS *Pukaki* and HMNZS *Rotoiti* acted as weather ships during the three nuclear weapons tests conducted off Malden Island during May and June 1957 and one test off Christmas Island on 8 November 1957. HMNZS *Pukaki* acted as weather ship during the five further tests held off Christmas Island in August and September 1958.

60% War Disablement Pension	100% War Disablement Pension	160% War Disablement Pension
VANZ pays all travel to medical appointments for service related disabilities at 62 cents per km.	VANZ pays all travel to medical appointments for service related disabilities at 62 cents per km.	VANZ pays all travel to medical appointments for service related disabilities at 62 cents per km.
Veteran can access limited home help from case management funding once all other avenues of support are exhausted.	<p>Veteran can access limited home help from case management funding once all other avenues of support are exhausted.</p> <p>Veteran can access additional assistance from the Attendant Allowance scheme up to a maximum of \$368.65 worth of services a week.</p>	<p>Veteran can access limited home help from case management funding once all other avenues of support are exhausted.</p> <p>Veteran can access additional assistance from the Attendant Allowance scheme up to a maximum of \$368.65 worth of services a week.</p>
Veteran has Veteran's SuperGold Card which includes a travel concession.	<p>Veteran has Veteran's SuperGold Card which includes a travel concession.</p> <p>Veteran also has a war pension's travel concession for recreational travel.</p>	<p>Veteran has Veteran's SuperGold Card which includes a travel concession.</p> <p>Veteran also has a war pension's travel concession for recreational travel.</p> <p>A veteran who cannot travel alone can have the costs of someone to escort them paid and also receive an allowance of \$24.08 tax free per week.</p>
	<p>When the veteran passes away, their partner will receive a Surviving Spouse Pension, paid at \$146.83 taxfree per week.</p> <p>This is paid in addition to the Veteran's Pension, Living Alone payment, Accommodation Supplement and Disability Allowance.</p>	<p>When the veteran passes away, their partner will receive a Surviving Spouse Pension, paid at \$146.83 taxfree per week.</p> <p>This is paid in addition to the Veteran's Pension, Living Alone payment, Accommodation Supplement and Disability Allowance.</p>
When a veteran passes away, their estate can claim a funeral grant paid at \$2,353.44	When the veteran passes away, their estate will receive a lump sum payment from Veteran's Pension paid at \$5,377.59 and war funeral grant paid at \$2,353.44.	When the veteran passes away, their estate will receive a lump sum payment from Veteran's Pension paid at \$5,579.25 and war funeral grant paid at \$2,353.44.