



# Australian Defence Force Retirees Association Inc.

No. A0108026R

We represent the interests of Defence Force Retirees regarding their Superannuation

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## DFRDB UPDATE - MAY 2020

### Introduction

Due to COVID-19 and related factors, this will be a brief update.

### CDDA Application

Last month, Herb submitted a General CDDA application to extend his initial claim beyond the scope of Ombudsman's investigation. The essence of the claim is that:

1. The sponsoring Department (Defence) and the responsible Ministers misled the Parliament over the commutation provision during the introduction of the DFRDB Bill in 1973 and the pension increase amendments in 1977.
2. The resulting legislation has indirectly reduced our retirement pay and invalidity pay entitlements, conferred by the originating 1973 Bill.
3. Misleading the members of the DFRDB scheme, as determined by the Ombudsman, was a deliberate act to conceal that deception.

There has been considerable correspondence and discussion over this claim, and that is still ongoing.

The Directorate of Special Financial Claims official charged with assessing our CDDA claims has been quite open and reasonable. Still, we are under no illusion and are aware that his task is to defend Defence against the allegations.

We know that one or more of the 30 odd CDDA claims have already been formally rejected, but do not despair, once we get a decision we will advise how to proceed.

### Legal Action

We believe we have now found a basis for a legal action to test the validity of the indirect reduction of our retirement pay and invalidity pay entitlements. We have addressed the matter to a Barrister but are yet to receive a reply.

We are also investigating avenues for funding a legal action, should it have to go to the Federal or High Court.

### Donations

Thank you to those who have donated to ADFRA. Again, our apologies for not being able to thank each of you personally.

With a legal case on the horizon, your generous donations will cover our travel and ancillary costs.

Again, for those who asked for our Bank Account details, they are:

Account Name: Australian Defence Force Retirees Association Inc.  
BSB Number: 640 000  
Account Number: 111 280 106

We prefer electronic funds transfer, but if you do make out a cheque, please make it payable to *Australian Defence Force Retirees Association Inc.*

### **ADFRA Membership**

Membership of ADFRA is free. If you have not yet registered with ADFRA, then please do it today. To be a force in representing you, we need the numbers.

### **Memorandum of Understanding (MOU)**

We have had many Ex-Service Organizations (ESO's) sign up to our MOU, including some state and regional bodies that are subordinate to National groups, and we thank each one of them. However, we still do not have the critical mass we need. If you are an ESO, we ask you to give some thought to signing up to our non-binding MOU.

You can download the MOU by clicking on this link:

[https://adfra.org/docPDF/ADFRA Memorandum of Understanding 1.pdf](https://adfra.org/docPDF/ADFRA%20Memorandum%20of%20Understanding%201.pdf)

### **Support for our Middle East Veterans**

I have been critical of our major ESO's in that I had not seen any evidence of support for our Middle East Veterans during the ongoing saga of alleged battlefield misconduct. However, I have since found that RSL National is on the case and has made formal contact with the Minister. I thank the RSL for their action.

***Jim Hislop***

President