

VVAG - VIETNAM VETERANS ACTION GROUP



To: Members of the Vietnam Veterans Action Group (VVAG)

From: VVAG Executive

Reasons to give us our tax back –14th March 2009

1/ We were sent by our Government to a War Zone. That is, we were posted to Vietnam on Active Service. We were armed in a foreign country and part of our mission was to search and destroy the enemy. *WE were combat Soldiers at War.*

2/ *It was kill or be killed.* We were posted to active service by the New Zealand Government as part of the allied forces fighting Communist aggression in support of the South Vietnamese Government. The North Vietnamese Army (also known as Viet Cong) led by Ho Chi Minh had transgressed into the South Vietnam territory and was terrorising and murdering some of the local population. The New Zealand Military/ Engineers/Medical personnel were a part of the Allied forces in South Vietnam.

3/ The majority of the New Zealand Military personnel served under the 1st Australian Task Force (1 ATF) command at Nui Dat, located in the Phuoc Tuy province which was a part of 111 Corp one of the most heavily sprayed areas of Vietnam, not only being sprayed with Agent Orange (a mixture of 245T & 24D and the unnecessary by product TCCD). Agent Orange *was also manufactured in New Zealand,* but also Agent Blue which contains an *Arsenic* base and Agent White which was a mixture of 24D & Chlordane which contained PCCB's one of the causes of death and illness with our timber/forestry workers. *A deadly Toxic environment, which since the War in Vietnam has accounted for about 800 NZ Vietnam Veterans the majority of whose deaths would be Dioxin related.* And this does not include the hundreds of family members who have died or the hundreds of deaths through miscarriages which also could be attributed to Dioxin poisoning.

4/ *To add insult to injury not only were we the most poorly paid, we were also the most poorly equipped and at one stage told to restrict our fire or we would be paying for the excess shells used as the NZ Government supposedly couldn't afford the expenditure. To pay tax as well was an insult. This is too pathetic for words.*

5/ *Our Allies the Australians and the Americans did not pay tax the New Zealand Government has discriminated against us and "Failed in their Duty of Care"*

6/ *In 1916 and also confirmed in 1954 the War Pension was assessed at 50% of the mean average male wage.(in RNZRSA submission) There has been no change in legislation that I am aware of that has changed the War Pension Act. The erosion of our entitlements of currently (October 2008) for a single veteran living alone is \$347.77*

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gross before tax a week against \$494.50 that should be being paid as 50% of the mean average male wage of \$989.01 (December 2008) a week, is a loss of \$146.73 a week. The Veterans who are on a War Pension and on 100% should be on a minimum \$494.50 a week plus the disability component. This should be dealt with ASAP. Moral servitude by the New Zealand Government not paying our dues and in essence stealing our entitlements is certainly "Failure of Duty of Care"

This is one of the reasons why we have fallen so far behind our allies in War Pension payments and entitlements.

7/ The tax that we paid then and I am only speaking personally as private soldier at that time was about \$400.00 for the 12 months I served there. For instance with that money, at that stage I could have bought from the PX (the American Postal Exchange similar to the NAAFI or Canteen) 250 cartons of beer. (it was only \$NZ1.50 or \$US2.00 a carton at that time.)

This represents about \$14,000 on today's prices to buy the same beer. It would make things a lot easier to work out the entitlements by giving the amount of \$8000.00 across the board to all persons who served in the NZDF as a part of the allied forces in Vietnam. Any NZ civilians/contractors attached to any allied unit to be treated the same. For those persons not registered with VANZ including NOK of the deceased who would need to apply to the Tax Department with proof of service of the Vietnam Veteran accompanied by a copy of the death certificate of same. This should stay in affect for a period of 12 months from the date of legislation. The media could be used to advertise the issue.

The amount that the RNZRSA have asked for in their submission to the Law Commission which is \$8000.00 across the board is very reasonable, affordable and is acceptable by the members of VVAG. The cost for this would be:--- 3285 personnel known to have served in Vietnam multiplied by \$8000.00 = \$26,280,000. All families of the deceased Veterans to receive that amount as well. There is no apparent reason to delay getting this legislated and paid out in full as an ex gratia payment. The Vietnam Veterans were not Peacekeepers but Soldiers at war and should be treated as such.

8/ This would be seen by the Vietnam Veteran Community as an Act of Faith by the New Zealand Government. Having put up with over 40 years of consecutive New Zealand Governments misfeasance on the Vietnam War and the ongoing effects of Dioxin poisoning its more than time that they show the Vietnam Veterans and their families that the Government is serious about resolving this long outstanding issue. We will lose another 40-50 Vietnam Veterans by the end of the year as we are currently losing about 1 person each week. This would also help with funeral costs and ease the burden on the surviving family members.

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9/ Should the Tax package be enacted and legislated, the members of VVAG whom I represent are quite prepared to wait for a period of not more than 12 months for rewrite of the War Pensions Act and the submission put up by the RNZRSA be put into place, legislated and paid out. I do not have any authority to speak or act on behalf of other Veterans but I feel sure that the Vietnam Veteran Community as a whole would be satisfied if the recommendations of the RNZRSA submission to the Law Commission were enacted in full.

10/ This measure would also forestall any likelihood of legal action taking place. The period of up to 90 days is acceptable to legislate and payment of the Tax Package,

11/ An answer from the New Zealand Government on their intentions to deal with this issue is required within 7 days. 21st March 2008. Failure to answer this submission will prove the NZ Governments "Failure of Duty of Care". The New Zealand Government has been aware of our concerns for decades. The RNZRSA submission to the Law Commission rewrite although worded differently has a very similar end result to the VVAG submission.

There is a very clear mandate from the Veteran community represented by the RNZRSA, EVSA and VVAG to resolve in full all the outstanding issues and to enact the submission from the RNZRSA to the Law Commission rewrite in full. This should be enacted as soon as possible on completion of the rewrite of the War Pensions Act.

This submission is requested to be tabled at Parliament in this coming week.

Summary

The amount of the Tax package is fair, reasonable and affordable. It's a small price to pay for the Criminal negligence of the past.

The New Zealand Government's credibility with the New Zealand Military, Veterans, Public and the International scene would be greatly enhanced.

It should forestall any legal action and public exposure if the Tax package is paid now and the RNZRSA submission to the Law Commission is legislated and enacted in full. I believe that this would also cover any Waitangi Claims on this issue.

It would help bring to a close the disgraceful management of consecutive New Zealand Governments Misfeasance and Servitude of the Vietnam Veterans and their families over the last 4 decades.

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Its time for the New Zealand Government to act responsibly and walk the talk. No more lies, prevarication, collusion, justice must prevail for all Veterans not just seem to be prevailed.

This can be coordinated with VANZ who can verify details of service and the unit and could be processed through the Tax Department with or paid direct into our account through VANZ

Bruce Weir Secretary/Spokesperson VVAG

