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Dear Ms Eldridge,

Re: Review of Exceptions and Exemptions in the *Equal Opportunity Act 1995* (Vic.)

I am writing on behalf of Professor Elizabeth Harman, Vice Chancellor of Victoria University, in response to your invitation to comment on the Review of Exceptions and Exemptions in the *Equal Opportunity Act 1995* (Vic.).

Victoria University (VU) is generally satisfied that the Exemptions that apply to the University - (e.g. Education, Clubs, Goods and Services, Accommodation, Sport) are reasonable limitations on the right to equality. Again, VU considers the VCAT process for their review or appeal is effective and reasonable.

However, the area that requires reform is the General Exemption section, with respect to superannuation, (Section 72 & 73) which enables superannuation funds to continue discriminatory practices. The exclusion of partners for people in same sex relationships from death benefits continues to be lawful. The *Superannuation Industry (Supervision) Act* does not include same sex partners or non-biological children of same sex relationships as dependants of the contributor unless a relationship of interdependency can be proven. The complex evidence and cumbersome procedures involved and lack of benefit mean that few, if any, funds have changed their rules. Consequently, same sex staff at VU are disadvantaged because they are required to prove the existence of a particular type of relationship compared with their heterosexual colleagues in an equivalent relationship.

This is an important area for the Exemptions Review to reconsider, in order for superannuation funds to re examine their conditions in relation to their same sex members.

Yours sincerely

Stephen Weller
Pro Vice-Chancellor Students

cc: Ms Denise Bett, Manager, Equity and Social Justice Department