

National Health

No. 100 of 1965

An Act to amend the *National Health Act*
1953-1964 in relation to Pensioners.

[Assented to 13 December, 1965]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *National Health Act* 1965. Short title and citation.

(2.) The *National Health Act* 1953-1964,* as amended by this Act, may be cited as the *National Health Act* 1953-1965.

2. This Act shall come into operation on the day on which it receives the Royal Assent but the amendment made by paragraph (b) of section 3 of this Act does not take effect until the first day of January, One thousand nine hundred and sixty-six. Commencement.

3. Section 4 of the *National Health Act* 1953-1964 is amended— Interpretation.

(a) by omitting from sub-section (1.) the definition of “dependant” and inserting in its stead the following definition:—

“ ‘dependant’, in relation to a pensioner, means—

- (a) the wife of the pensioner;
- (b) a woman who is living with the pensioner as his wife on a permanent and *bona fide* domestic basis, although not legally married to him, and has been so living with him for not less than three years;
- (c) a child under the age of sixteen years in the custody, care and control of the pensioner or of the wife or husband of the pensioner; or

* Act No. 95, 1953, as amended by No. 68, 1955; Nos. 55 and 95, 1956; No. 92, 1957; No. 68, 1958; No. 72, 1959; No. 16, 1961; No. 82, 1962; No. 77, 1963; and No. 37, 1964.

- (d) a child in the custody, care and control of the pensioner or of the wife or husband of the pensioner, being a child who—
- (i) has attained the age of sixteen years but is under the age of twenty-one years;
 - (ii) is receiving full-time education at a school, college or university;
 - (iii) is not in receipt of an invalid pension under Part III. of the *Social Services Act 1947–1965*; and
 - (iv) except where the pensioner is a person to whom, or in respect of whom, there is being paid a service pension under the *Repatriation Act 1920–1965*—is wholly or substantially dependent on the pensioner;” and

(b) by omitting from sub-section (1.) the definition of “pensioner” and inserting in its stead the following definition:—

“ ‘pensioner’ means a person to whom, or in respect of whom, there is being paid—

- (a) an age pension, an invalid pension or a widow’s pension under the *Social Services Act 1947–1965*;
- (b) a service pension under the *Repatriation Act 1920–1965*; or
- (c) an allowance under the *Tuberculosis Act 1948*,

but does not include a person who would not, by reason of his income or property, be eligible to receive a pension under the *Social Services Act 1947–1965*, or the *Repatriation Act 1920–1965*, as in force on the first day of January, One thousand nine hundred and sixty-six;”.
