

Parliamentary Retiring Allowances

No. 71 of 1966

An Act to amend the *Parliamentary Retiring Allowances Act 1948–1965* in relation to Orphans' Pensions and to amend that Act and the *Parliamentary Retiring Allowances Act 1964–1965* in relation to Decimal Currency.

[Assented to 29 October 1966]

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

Short title
and citation.

1.—(1.) This Act may be cited as the *Parliamentary Retiring Allowances Act 1966*.

(2.) The *Parliamentary Retiring Allowances Act 1948–1965** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Parliamentary Retiring Allowances Act 1948–1966*.

Commence-
ment.

2.—(1.) Subject to the next succeeding sub-section, this Act shall come into operation on the day on which it receives the Royal Assent.

(2.) The amendments made by section 4 of this Act shall be deemed to have taken effect on the first day of January, One thousand nine hundred and sixty-six.

* Act No. 89, 1948, as amended by No. 3, 1952; No. 30, 1955; No. 20, 1959; No. 72, 1964; and No. 35, 1965.

3. Section 19 of the Principal Act is amended by inserting in sub-section (3.), after the word "widow", the words "or is survived by a widow to whom no pension or other benefit is payable under this section".

Benefits on death of member.

4.—(1.) Section 19AA of the Principal Act is repealed and the following section inserted in its stead:—

" 19AA.—(1.) In the cases specified in this section, benefits from the Fund for the care and maintenance of eligible children are payable in such manner and subject to such conditions as the Trust determines.

Benefits in respect of orphaned children.

" (2.) Where—

- (a) a widower or widow dies—
 - (i) while he or she is entitled to a parliamentary allowance; or
 - (ii) while he or she is entitled to a pension under section eighteen of this Act;
- (b) a person dies while he is entitled to a pension under section eighteen of this Act, being a person who, but for re-marriage after becoming entitled to that pension, would have been a widower; or
- (c) a widow who has an option under sub-section (2.) of the last preceding section dies without having exercised that option,

and is survived by a child who is a dependent child of the deceased person and is an eligible child but is not (in a case where paragraph (b) of this sub-section applies) a child born after the re-marriage of the deceased person or adopted after that re-marriage by him either alone or together with another person, benefit in accordance with this section is payable in respect of the child, and in any such case—

- (d) any benefit payable to the personal representatives of the deceased person under sub-section (3.) of the last preceding section, or any benefit payable to the widow under paragraph (b) of sub-section (2.) of that section by virtue of the operation of sub-section (2A.) of that section, does not become payable until the benefit in respect of the child ceases to be payable; and
- (e) the amount of any such benefit otherwise payable to the personal representatives or to the widow, as the case may be, shall be reduced by the total of the amounts of benefit paid in respect of the child.

" (3.) Where a widow entitled to a pension under the last preceding section (other than a pension the rate or period of which was reduced under sub-section (5.) or sub-section (6.) of that section) dies and is survived by a child who is a dependent child of her late husband or of herself and is an eligible child, benefit in accordance with this section is payable in respect of the child.

“ (4.) Where a widow who dies—

(a) would be entitled to a pension at the time of her death but for the application of sub-section (5.) or sub-section (6.) of the last preceding section; or

(b) is at the time of her death entitled to a pension the rate or period of which was reduced by virtue of sub-section (5.) or sub-section (6.) of that section,

and is survived by an eligible child of her late husband who was dependent on her late husband immediately before her marriage to him, benefit in accordance with this section is payable in respect of the child.

“ (5.) Where a widow who dies without having re-married—

(a) is, at the time of her death, or has at any time been entitled to a pension at a reduced rate or for a reduced period by reason of sub-section (5.) or sub-section (6.) of the last preceding section; and

(b) is survived by a dependent child of the widow, other than a child referred to in the last preceding sub-section, who is an eligible child,

the Trust may, in its absolute discretion, approve the payment, in respect of that child, of benefit in accordance with this section of a pension at such rate as the Trust determines, not being a rate higher than the rate of pension that would be payable in respect of the child if he were a child referred to in the last preceding sub-section.

“ (6.) Subject to this section, the benefit in respect of an eligible child is a pension at the rate of Five hundred and twenty dollars per annum or at the rate of such amount per annum as is determined in accordance with the next succeeding sub-section, whichever rate is the higher.

“ (7.) The amount to be determined for the purposes of the last preceding sub-section is an amount ascertained by dividing by four (or, if the number of eligible children of the deceased person in respect of whom pension is payable under this section is greater than four, by the number of those children) an amount equal to—

(a) where the benefit became payable on the death of a widower or a person referred to in paragraph (b) of sub-section (2.) of this section—the amount of the annual rate of pension that would have been payable to his widow if he had died leaving a widow entitled to pension under this Act;

(b) where the benefit became payable on the death of a widow referred to in paragraph (a) of sub-section (2.) of this

section—five-twelfths of the amount of the annual rate of the parliamentary allowance to which she was entitled immediately before she died or became entitled to pension, as the case may be; or

- (c) where the benefit became payable on the death of a widow referred to in paragraph (c) of sub-section (2.) of this section—the amount of the annual rate of pension that would have been payable to her if pension had been payable to her under sub-section (2.) of the last preceding section.

“(8.) In this section—

‘ child ’, in relation to a person, includes a child adopted by that person;

‘ eligible child ’ means—

(a) a child under the age of sixteen years; or

(b) a child who—

(i) has attained the age of sixteen years but is under the age of twenty-one years; and

(ii) is receiving full-time education at a school, college or university.”.

(2.) Pension payable in pursuance of section 19AA of the Principal Act as amended by this Act is not payable at a rate that exceeds Five hundred and twenty dollars per annum until the first fortnightly payment of pensions made after the date on which this Act receives the Royal Assent.

5. Section 22k of the Principal Act is amended by inserting in sub-section (3.), after the word “widow”, the words “or is survived by a widow to whom no pension or other benefit is payable under this section”.

Benefits on death of contributor.

6. The Principal Act is amended as set out in Part I. of the Schedule to this Act.

Amendments of the Principal Act in relation to decimal currency.

7.—(1.) Section 16 of the *Parliamentary Retiring Allowances Act 1964-1965** is amended by omitting the table in sub-section (1.) and inserting in its stead the following table:—

Amendments of the *Parliamentary Retiring Allowances Act 1964-1965* in relation to decimal currency.

Weekly amount of pension.	Weekly amount of increase in pension.
\$	\$
20	10
24	12
30	12

* Act No. 72, 1964; as amended by Nos. 35 and 147, 1965.

(2.) The *Parliamentary Retiring Allowances Act 1964-1965* is further amended as set out in Part II. of the Schedule to this Act.

(3.) The *Parliamentary Retiring Allowances Act 1964-1965*, as amended by this Act, may be cited as the *Parliamentary Retiring Allowances Act 1964-1966*.

THE SCHEDULE

AMENDMENTS IN RELATION TO DECIMAL CURRENCY

PART I.

Section 6.

AMENDMENTS OF THE PRINCIPAL ACT

Provisions amended	Omit—	Insert—
Section 18 (7.) ..	Three pounds	Six dollars
Section 19A (2A.) ..	£	\$
	2,000	4,000
	2,250	4,500
	2,500	5,000
	2,750	5,500
	3,000	6,000
Section 22E (6.) (a) ..	Eighteen pounds ten shillings	Thirty-seven dollars
Section 22E (6.) (b) ..	Nine pounds five shillings	Eighteen dollars fifty cents
Section 22E (6.) (c) ..	Four pounds twelve shillings and sixpence	Nine dollars twenty-five cents
Section 22H (2.) ..	£ s. d.	\$
	9 0 0	18
	10 10 0	21
	12 0 0	24
	14 0 0	28
	16 0 0	32
	18 10 0	37
	21 0 0	42

PART II.

Section 7.

AMENDMENTS OF THE PARLIAMENTARY RETIRING ALLOWANCES ACT 1964-1965

Provisions amended	Omit—	Insert—
Section 16 (2.) ..	Fifteen pounds	Thirty dollars
Section 17 (2.) ..	Two thousand seven hundred and fifty pounds	Five thousand five hundred dollars
	£2,750	\$5,500
Section 17 (3.) (a) ..	One thousand three hundred and seventy-five pounds	Two thousand seven hundred and fifty dollars
Section 17 (3.) ..	Three pounds	Six dollars