

REPATRIATION.

No. 44 of 1957.

An Act to amend the *Repatriation Act* 1920-1956,
and for other purposes.

[Assented to 15th October, 1957.]

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 *Repatriation Act* 1957.

(2.) The *Repatriation Act 1920-1956** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Repatriation Act 1920-1957*.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3.—(1.) Section seventy-eight of the Principal Act is amended by omitting sub-sections (1.) and (2.) and inserting in their stead the following sub-sections:— Date of operation of decisions and determinations on appeals.

“(1.) An Appeal Tribunal or an Assessment Appeal Tribunal may specify in a decision made by it under this Part, and the Commission may specify in a determination made by it by virtue of section sixty-four of this Act, the date from which the decision or determination, as the case may be, operates.

“(2.) A decision of an Appeal Tribunal, or a determination of the Commission referred to in the last preceding sub-section, shall not be expressed to operate—

(a) in any case—

(i) from a date earlier than three months before the date on which the claim for pension was lodged; or

(ii) from a date earlier than six months before the date on which the appeal under sub-section (1.) of section sixty-four of this Act was lodged; or

(b) in the case of a decision made by virtue of sub-section (7.) or (7AB.) of that section, or a determination made by virtue of sub-section (6A.) or (7.) of that section— from a date earlier than four years before the date of the decision or determination, as the case may be.”

(2.) A War Pensions Entitlement Appeal Tribunal may amend a decision of the Tribunal to which this sub-section applies, and the Repatriation Commission may amend a determination of the Commission to which this sub-section applies, by substituting for the date, if any, specified in the decision or determination, as the case may be, as the date from which it operates such earlier date as the Tribunal or the Commission, as the case may be, thinks fit, being a date not earlier than a date which could have been so specified if the amendment made by the last preceding sub-section had been in force on the date on which the determination or decision, as the case may be, was made.

* Act No. 6, 1920, as amended by No. 34, 1921; No. 23, 1922; No. 14, 1929; No. 74, 1930; Nos. 10 and 47, 1931; No. 32, 1934; No. 58, 1935; Nos. 29 and 67, 1936; Nos. 12, 24 and 42, 1937; No. 55, 1938; Nos. 37 and 96, 1940; No. 49, 1941; No. 22, 1943; No. 11, 1945; No. 49, 1946; Nos. 1, 29 and 74, 1947; No. 39, 1948; No. 38, 1949; Nos. 34 and 80, 1950; No. 31, 1951; No. 58, 1952; No. 69, 1953; No. 31, 1954; No. 39, 1955; and Nos. 68 and 97, 1956.

(3.) The last preceding sub-section applies to a decision or determination made on or after the first day of June, One thousand nine hundred and fifty-six, and before the commencement of this Act, being—

- (a) a decision of a War Pensions Entitlement Appeal Tribunal made by virtue of sub-section (7.) or (7AB.) of section sixty-four of the *Repatriation Act 1920-1955*, or that Act as amended; or
- (b) a determination of the Repatriation Commission made by virtue of sub-section (6A.) or (7.) of that section.

First Schedule.

4. The First Schedule to the Principal Act is amended by omitting the scale and inserting in its stead the following scale:—

COLUMN 1.	COLUMN 2.	COLUMN 3.	COLUMN 4.
Rank or Rating of the Member.	Pension payable to Widowed Mother on Death of Member.	Pension payable to Widow on Death of Member.	Pension payable to Member upon Total Incapacity.
	£ s. d. Per fortnight.	£ s. d. Per fortnight.	£ s. d. Per fortnight.
All ranks and ratings below Leading Seaman, Corporal and relative ranks and ratings	4 10 0	9 15 0	10 5 0
Leading Seaman, Corporal and relative ranks and ratings	5 0 0	9 15 0	10 5 0
Petty Officer, Sergeant and relative ranks and ratings	5 3 0	9 15 0	10 5 0
Chief Petty Officer, Staff Sergeant, Flight Sergeant and relative ranks and ratings	5 5 6	9 15 0	10 5 0
Warrant Officer and relative ranks	5 13 6	9 15 0	10 5 0
All commissioned ranks below Lieutenant (Navy), Captain (Army), Flight Lieutenant (Air Force) and relative ranks	5 18 0	9 15 0	10 5 0
Lieutenant (Navy), Captain (Army), Flight Lieutenant (Air Force) and relative ranks	6 8 0	9 15 0	10 9 6
Lieutenant-Commander, Major, Squadron Leader and relative ranks	6 19 0	10 4 0	10 19 6
Commander, Lieutenant-Colonel, Wing Commander and relative ranks	7 11 0	10 16 0	11 9 6
Captain (Navy), Colonel, Group Captain and relative ranks	8 3 0	11 8 0	11 18 6
All ranks higher than Captain (Navy), Colonel, Group Captain and relative ranks	8 6 0	11 11 0	12 1 0

Second Schedule.

5. The Second Schedule to the Principal Act is amended by omitting the words—

“RATE FOR SPECIAL PENSIONS—NINETEEN POUNDS TEN SHILLINGS PER FORTNIGHT.”

and inserting in their stead the words—

“RATE FOR SPECIAL PENSIONS—TWENTY-TWO POUNDS PER FORTNIGHT.”.

6. The Fifth Schedule to the Principal Act is amended by omitting the table in paragraph 1 and inserting in its stead the following table:—

COLUMN 1.	COLUMN 2.	COLUMN 3.
Description of Disability.	Amount.	Allowances.
	£ s. d.	£ s. d.
	Per fortnight.	Per fortnight.
Two arms amputated	11 15 0	9 0 0
Two legs and one arm amputated	11 15 0	5 10 0
Two legs amputated above the knee	11 15 0	5 10 0
Two legs amputated and loss of eye	11 15 0	—
One leg and one arm amputated and one eye destroyed	11 15 0	—
One leg and one arm amputated	11 15 0	—
One leg amputated above, and one leg amputated below, the knee	5 12 0	—
Two legs amputated below the knee	3 15 0	—
One arm amputated and one eye destroyed	3 4 0	—
One leg amputated and one eye destroyed	3 4 0	—
One leg amputated above the knee	1 13 0	—
One leg amputated below the knee	0 17 0	—
One arm amputated above the elbow	1 13 0	—
One arm amputated below the elbow	0 17 0	—
Loss of vision in one eye	1 6 0	—

7. The amendments effected by sections four, five and six of this Act apply in relation to an instalment of pension falling due on the first pension pay day after the commencement of this Act and to all subsequent instalments.

Application
of amendments.