

REPATRIATION.

No. 75 of 1962.

An Act to amend sections twenty-nine and seventy-eight of the *Repatriation Act* 1920-1961.

[Assented to 10th December, 1962.]

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* 1962.

Short title
and citation.

(2.) The *Repatriation Act* 1920-1961* 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* 1920-1962.

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

Commence-
ment.

3. Section twenty-nine of the Principal Act is amended by inserting after the word "Commission" the words " , being an appeal from a determination of a Board lodged later than three months after the making of the determination,".

Date of
operation of
determination of
Commission
on appeal.

4. Section

* 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; Nos. 68 and 97, 1956; No. 44, 1957; No. 47, 1958; No. 58, 1959; No. 44, 1960; and No. 46, 1961.

Date of
operation of
decisions and
determinations
on appeal.

4. Section seventy-eight of the Principal Act is amended—

(a) by omitting from sub-section (2.) the words “ A decision of an Appeal Tribunal ” and inserting in their stead the words “ Subject to the next succeeding sub-section, a decision of an Appeal Tribunal ”; and

(b) by inserting after sub-section (2.) the following sub-section:—

“(2A.) Where an appeal to an Appeal Tribunal against a determination of the Commission is lodged in accordance with sub-section (1.) of section sixty-four of this Act and—

(a) the appeal is so lodged within three months after the making of the determination; and

(b) in a case where the determination of the Commission was made on an appeal to the Commission from a determination of a Board—the appeal to the Commission was lodged within three months after the making of the determination of the Board,

sub-paragraph (ii) of paragraph (a) of the last preceding sub-section does not apply to a decision of the Appeal Tribunal made by virtue of sub-section (3.) or (6.) of section sixty-four of this Act or to a determination of the Commission made by virtue of sub-section (5.) of that section.”; and

(c) by omitting paragraph (a) of sub-section (3.) and inserting in its stead the following paragraph:—

“(a) where the appeal follows upon an appeal to an Appeal Tribunal or to the Commission that has been upheld or upon a determination of the Commission made by virtue of section sixty-four of this Act—from a date earlier than the date from which the decision or determination of the Appeal Tribunal or of the Commission, as the case may be, operates;”.