

# Repatriation (Special Overseas Service)

No. 78 of 1968

An Act to amend the *Repatriation (Special Overseas Service) Act 1962–1966* to provide for the payment of Service Pensions and for the Extension, in certain cases, of a period of Special Service to include a period of Service in Australia.

[Assented to 31 October 1968]

**B**E 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 (Special Overseas Service) Act 1968*. Short title and citation.

(2.) The *Repatriation (Special Overseas Service) Act 1962–1966\** 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 (Special Overseas Service) Act 1962–1968*.

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

3. Section 3 of the Principal Act is amended by adding at the end thereof the following sub-section:— Interpretation.

“(3.) Where a member of the Naval, Military or Air Forces who is serving on special service—

(a) returns to Australia in accordance with the Rest and Recuperation arrangements of the Naval, Military or Air Forces;

(b) returns to Australia on emergency or other leave granted on compassionate grounds;

(c) returns to Australia on duty; or

(d) returns to Australia for the purpose of receiving medical or surgical treatment as directed by the medical authorities of the Naval, Military or Air Forces,

so much of the period of service of the member in Australia after his return as does not exceed fourteen days shall, for the purposes of the definition of ‘special service’ in sub-section (1.) of this section, be deemed to be a period when the member is outside Australia.”

4. Section 7 of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words “section twenty-four, sub-sections (3.) and (4.) of section thirty-seven and sections” and inserting in their stead the words “sections twenty-four,”; and Extension of certain provisions of Repatriation Act.

\* Act No. 89, 1962, as amended by No. 108, 1964; No. 110, 1965; and No. 93, 1966.

(b) by omitting sub-section (2.) and inserting in its stead the following sub-sections:—

“(2.) Subject to this Act, the provisions of Division 5 of Part III. of the Repatriation Act extend to and in relation to—

- (a) a member of the Forces within the meaning of this Act;
- (b) the wife of such a member; and
- (c) a child, as defined by sub-section (1.) of section eighty-three of the Repatriation Act, of such a member.

“(3.) In the application, by virtue of the last two preceding sub-sections, of the provisions of the Repatriation Act specified in those sub-sections in relation to a member—

- (a) a reference to a member of the Forces or to a member shall be read as a reference to a member of the Forces within the meaning of this Act;
  - (b) a reference to dependants shall be read, in relation to, or to matters arising out of, an incapacity or the death of the member, as a reference to the persons who are dependants of the member for the purposes of the application of sub-section (1.) of section six of this Act in relation to that incapacity or death;
  - (c) a reference to war service shall be read as a reference to special service;
  - (d) a reference to service in a theatre of war shall be read as a reference to service on special service;
  - (e) the reference in sub-section (3.) of section thirty-seven of the Repatriation Act to Division 1 of Part III. of that Act shall be read as a reference to section six of this Act; and
  - (f) a pension under section six of this Act shall be deemed to be a pension under Division 1 of Part III. of the Repatriation Act.”.
-