

# SOCIAL SERVICES.

## No. 67 of 1956.

### An Act to amend the *Social Services Act* 1947-1955.

[Assented to 5th October, 1956.]

**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:—

Short title  
and citation.

1.—(1.) This Act may be cited as the *Social Services Act* 1956.

(2.) The *Social Services Act* 1947-1955\* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Social Services Act* 1947-1956.

Commencement.

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

Definitions.

3. Section six of the Principal Act is amended by inserting after the definition of "Magistrate" the following definition:—

" 'member of the Forces' means a person who is a member of the Forces for the purposes of any of the provisions of the *Repatriation Act* 1920-1956 and includes a person who is in receipt of a pension by virtue of section fifty-four of that Act; "

Definitions

4. Section eighteen of the Principal Act is amended—

(a) by omitting from paragraph (i) of the definition of "income" the words "(within the meaning of Part III. of the *Repatriation Act* 1920-1954)"; and

(b) by omitting paragraph (ja) of the definition of "income" and inserting in its stead the following paragraphs:—

" (ja) an amount payable by the Repatriation Commission to a member of the Forces—

(i) as an allowance for an attendant; or

(ii) as an allowance for expenditure incurred or to be incurred by the member of the Forces for his transport for the purposes of recreation or as an allowance towards the cost of maintenance and running expenses of a motor vehicle provided by the Repatriation Commission for the member of the Forces because of his serious incapacity;

\* Act No. 26, 1947, as amended by Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 26, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; No. 30, 1954; and Nos. 15 and 38, 1955.

“(j*b*) an amount payable to a member of the Forces as an allowance by reason of the fact that he has been awarded a decoration ; or ”.

5. Section twenty-eight of the Principal Act is amended—

Rate of  
pension.

(a) by omitting from sub-section (1.) the words “ the rate of Two hundred and eight pounds per annum ” and inserting in their stead the words “ the maximum rate fixed by or in accordance with the next three succeeding sub-sections ” ; and

(b) by inserting after that sub-section the following sub-sections:—

“(1*A.*) The maximum rate of age or invalid pension is, subject to the next succeeding sub-section, Two hundred and eight pounds per annum.

“(1*B.*) Where a person who is qualified to receive an invalid pension, or a person who is qualified to receive an age pension and is permanently incapacitated for work, has the custody, care and control of two or more children under the age of sixteen years, the maximum rate specified in the last preceding sub-section shall, subject to the next two succeeding sub-sections, be increased by Twenty-six pounds per annum for each of those children other than the elder or eldest child.

“(1*C.*) Where, by reason of the operation of the last preceding sub-section, the maximum rate of pension applicable to both a husband and his wife who are not permanently living apart would, but for this sub-section, be increased, the last preceding sub-section applies only in relation to the husband, and, for that purpose, a child who is in the custody, care and control of the wife shall be deemed to be in the custody, care and control of the husband.

“(1*D.*) The maximum rate of an age or invalid pension in the case of a permanently blind person shall not be increased by virtue of sub-section (1*B.*) of this section, unless he would be eligible to receive an invalid pension under the provisions of this Part (including that sub-section) if he were not a permanently blind person but were permanently incapacitated for work, and the amount of any such increase shall not exceed the maximum amount which could, in those circumstances, be included in his pension by virtue of that sub-section.”.

6. Section twenty-nine of the Principal Act is amended by omitting from paragraph (b) of sub-section (1.) the words “ a payment of child’s allowance under section thirty-four of this Act or child endowment under ” and inserting in their stead the words “ a payment under this Part or ”.

Computation  
of income.

Qualifications  
for widow's  
pension.

**7. Section sixty** of the Principal Act is amended by omitting paragraph (b) of sub-section (1.) and inserting in its stead the following paragraph :—

“(b) a widow (not being a widow specified in paragraph (d) of this sub-section) who has not the custody, care and control of any child and—

(i) is not less than fifty years of age ; or

(ii) having been in receipt of a pension as a widow referred to in the last preceding paragraph, has, after having attained the age of forty-five years, ceased to receive that pension by reason of the fact that she no longer has the custody, care and control of a child ;”.

Rate of widow's  
pension.

**8. Section sixty-three** of the Principal Act is amended—

(a) by omitting paragraph (a) of sub-section (1.) and inserting in its stead the following paragraphs :—

“(a) in the case of a class A widow who has the custody, care and control of only one child—Two hundred and twenty-one pounds per annum ;

“(ab) in the case of a class A widow who has the custody, care and control of two or more children—an amount per annum ascertained by adding to the sum of Two hundred and twenty-one pounds the sum of Twenty-six pounds for each of those children other than the elder or eldest child ; or” ; and

(b) by omitting from sub-section (2.) the word “ so ”.

Computation  
of income.

**9. Section sixty-four** of the Principal Act is amended by omitting from paragraph (b) the words “ a payment of child endowment under ” and inserting in their stead the words “ a payment under this Part or ”.

Payment on  
account prior  
to birth.

**10. Section eighty-nine** of the Principal Act is amended by omitting the words “ Five pounds ” and inserting in their stead the words “ Ten pounds ”.

Interpretation.

**11. Section one hundred and six** of the Principal Act is amended—

(a) by omitting paragraph (f) of the definition of “ income ” in sub-section (1.) and inserting in its stead the following paragraphs :—

“(f) a pension payable under the *Repatriation Act* 1920–1956 (other than a service pension) or an amount payable by the Repatriation Commission to a member of the Forces as an allowance for expenditure incurred or to be incurred by the member of the Forces for his transport for the purposes of recreation or as an allowance towards

the cost of maintenance and running expenses of a motor vehicle provided by that Commission for the member of the Forces because of his serious incapacity ;

“(fa) an amount payable to a member of the Forces as an allowance by reason of the fact that he has been awarded a decoration ;” ; and

(b) by omitting from paragraph (g) of that definition the words “ the last preceding paragraph ” and inserting in their stead the words “ paragraph (f) of this definition ”.

12. The amendments effected by this Act, in so far as they affect instalments of pensions, apply in relation to an instalment of pension falling due on the first pension pay day after the date on which this Act receives the Royal Assent and to all subsequent instalments.

Application of  
amendments.

---