

SOCIAL SERVICES.

No. 1 of 1962.

An Act to amend the *Social Services Act 1947-1961*.

[Assented to 1st March, 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 *Social Services Act 1962*. Short title and citation.

(2.) The *Social Services Act 1947-1961** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Social Services Act 1947-1962*.

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

3. Section

* 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; Nos. 15 and 38, 1955; Nos. 67 and 98, 1956; No. 46, 1957; No. 44, 1958; No. 57, 1959; No. 45, 1960; and No. 45, 1961.

Qualifications
for age
pension.

3. Section twenty-one of the Principal Act is amended—

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

“ (b) is residing in Australia on the date on which he lodges his claim for a pension and has at any time been continuously resident in Australia for a period of not less than ten years,”; and

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

“ (2.) Where—

(a) a claimant has had more than one period of residence in Australia;

(b) the longest of those periods is less than ten years but is not less than five years; and

(c) the aggregate of those periods exceeds ten years,

the period specified in paragraph (b) of the last preceding sub-section shall, in relation to that claimant, be deemed to be reduced by the excess.”.

Qualifications
for invalid
pension.

4. Section twenty-four of the Principal Act is amended by omitting from paragraph (b) of sub-section (1.) the words “ has been continuously so resident ” and inserting in their stead the words “ has at any time been continuously resident in Australia ”.

Conditions of
grant of invalid
pension.

5. Section twenty-five of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-sections:—

“ (2.) If a person who became permanently incapacitated for work or permanently blind while outside Australia (otherwise than during a temporary absence from Australia) has at any time been continuously resident in Australia for a period of not less than ten years, he shall, for the purposes of this section, be deemed to have become permanently incapacitated for work or permanently blind while in Australia.

“ (2A.) Where, in the case of a person who became permanently incapacitated for work or permanently blind while outside Australia (otherwise than during a temporary absence from Australia)—

(a) that person has had more than one period of residence in Australia;

(b) the longest of those periods is less than ten years but is not less than five years; and

(c) the

(c) the aggregate of those periods exceeds ten years, the period specified in the last preceding sub-section shall, in relation to that person, be deemed to be reduced by the excess.”.

6. Section one hundred and twelve of the Principal Act is amended—

Rate of
unemployment
and sickness
benefit.

- (a) by omitting from paragraph (c) of sub-section (1.) the words “ Three pounds fifteen shillings ” and inserting in their stead the words “ Four pounds two shillings and sixpence ”;
- (b) by omitting from sub-sections (2.), (3.) and (4.) the words “ Two pounds twelve shillings and sixpence ” (wherever occurring) and inserting in their stead the words “ Three pounds ”; and
- (c) by omitting sub-section (5.) and inserting in its stead the following sub-sections:—

“ (5.) Where a person qualified to receive an unemployment benefit or a sickness benefit—

- (a) has the custody, care and control of a child or children under the age of sixteen years; or
- (b) is making regular contributions towards the maintenance of a child or children under that age,

the rate of the benefit payable to that person under the preceding provisions of this section shall, subject to the next succeeding sub-section, be increased by Fifteen shillings per week in respect of that child or in respect of each of those children, as the case may be.

“ (6.) Where, but for this sub-section, an increase under the last preceding sub-section would be payable—

- (a) to more than one person in respect of the one child;
- (b) to a person in respect of a child—
 - (i) in respect of whom a person is in receipt of a child’s allowance under Part III.;
 - (ii) who has been taken into account under sub-section (1B.) of section twenty-eight of this Act in fixing the rate of an age or invalid pension payable to a person;

(iii) who

- (iii) who has been taken into account in fixing the rate of a widow's pension under Part IV. payable to a person;
 - (iv) who has been taken into account in determining the rate of an allowance under the *Tuberculosis Act* 1948 payable to a person;
 - or
 - (v) in respect of whom a service pension under the *Repatriation Act* 1920-1961 is payable; or
- (c) to a person in respect of a child by virtue of the making by that person of regular contributions towards the maintenance of the child at a rate less than Fifteen shillings per week,

the Director-General may direct that any increase under the last preceding sub-section in respect of that child be not payable or be limited to such amount as the Director-General thinks fit.”.

Means test.

7. Section one hundred and fourteen of the Principal Act is amended by omitting from sub-section (4.) the words “Two pounds twelve shillings and sixpence” and inserting in their stead the words “Three pounds”.

Application of amendments.

8. The amendments made by this Act, in so far as they affect any unemployment or sickness benefit, apply in relation to benefit in respect of a period that commences on or after the first day of March, One thousand nine hundred and sixty-two, or commenced during the period of seven days immediately preceding that date.