

Amount of  
loans—  
Mortgage Bank  
Department.

3. Section eighty-three of the Principal Act is amended by omitting the words “Five thousand pounds” and inserting in their stead the words “Ten thousand pounds”.

Amount of  
housing loans.

4.—(1.) Section one hundred and sixteen of the Principal Act is amended by omitting the words “One thousand two hundred and fifty pounds” and inserting in their stead the words “One thousand seven hundred and fifty pounds”.

(2.) This section shall be deemed to have come into operation on the fourteenth day of June, One thousand nine hundred and forty-eight.

Selection of  
officers for  
promotion.

5. Section one hundred and sixty-five of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(3.) Notwithstanding anything contained in the last preceding sub-section, ‘efficiency’ shall, in relation to promotions to such senior executive positions in the Service of the Bank as are prescribed, include not only special qualifications and aptitude for the discharge of the duties of the position to be filled but also for the discharge of the duties of positions of higher status in that Service.”.

## SOCIAL SERVICES CONSOLIDATION (No. 2).

No. 69 of 1948.

An Act to amend the *Social Services Consolidation Act 1947*, as amended by the *Social Services Consolidation Act 1948*.

[Assented to 10th December, 1948.]

**B**E it enacted by the King’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 Consolidation Act (No. 2) 1948*.

(2.) The *Social Services Consolidation Act 1947*\*, as amended by the *Social Services Consolidation Act 1948*†, is in this Act referred to as the Principal Act.

(3.) Section one of the *Social Services Consolidation Act 1948* is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Social Services Consolidation Act 1947–1948*.

Commencement.

2. Except as otherwise provided by this Act, this Act shall come into operation on the day on which it receives the Royal Assent.

3. Section five of the Principal Act is amended by omitting the words and figures "Part VIII.—Training and Physical Rehabilitation of Pensioners and Beneficiaries (Sections 134–135)." and inserting in their stead the words and figures "Part VIII.—Rehabilitation of Physically Handicapped Persons (Sections 134–135s)."

Parts.

4.—(1.) Section eighteen of the Principal Act is amended by omitting paragraph (h) of the definition of "income" and inserting in its stead the following paragraph:—

Definitions.

"(h) a payment under section nine of the *Tuberculosis Act* 1948 ;".

(2.) The amendment effected by the last preceding sub-section shall come into operation on the date on which section nine of the *Tuberculosis Act* 1948 comes into operation.

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

Conditions of grant of invalid pension.

"(2.) A person who became permanently incapacitated for work or permanently blind while outside Australia (otherwise than during a temporary absence from Australia) but has resided in Australia—

(a) for a continuous period of not less than twenty years ; or  
(b) for periods aggregating not less than twenty years,

whether any such period was before or after he became permanently incapacitated for work or permanently blind, shall, for the purposes of this section, be deemed to have become permanently incapacitated for work or permanently blind while in Australia."

6. Section thirty of the Principal Act is amended—

Computation of value of property.

(a) by inserting after sub-section (1.) the following sub-sections:—

"(1A.) Where a charge or encumbrance lawfully exists on property the value of which is disregarded under paragraph (a) of the last preceding sub-section and the same charge or encumbrance lawfully exists on other property of the claimant or pensioner or of his spouse, the amount to be deducted under paragraph (b) of the sub-section shall be the amount which bears to the amount of the charge or encumbrance the same proportion as the value (as determined by the Director-General) of that other property bears to the value (as determined by the Director-General) of all the property of the claimant or pensioner or of his spouse on which the charge or encumbrance exists.

"(1B.) Where, in the opinion of the Director-General, a charge or encumbrance is a collateral security, that charge or encumbrance, and the charge or encumbrance to which it is collateral (in this sub-section referred to

as 'the principal security'), shall, for the purposes of this section, be deemed to be one charge or encumbrance lawfully existing on any property on which either the collateral security or the principal security lawfully exists." ; and

(b) by omitting from sub-section (2.) the words " the last preceding sub-section " and inserting in their stead the words " sub-section (1.) of this section ".

Benevolent  
asylum  
inmates.

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

" (2.) Payment shall not be made under the last preceding sub-section to the person controlling a benevolent asylum in respect of any period during which the pensioner is a qualified person within the meaning of the agreement executed under the *Hospital Benefits Act 1945-1947* between the Commonwealth and the State in which the benevolent asylum is situated."

Application  
of insurance  
moneys.

8. Section fifty-three of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

" (1.) Where a house which is owned by a pensioner or his spouse and is the permanent home of the pensioner is destroyed, demolished or damaged, the Director-General may consent to any insurance moneys or compensation received by the pensioner or his spouse in respect of the destruction, demolition or damage being used for the purpose of building or purchasing a house in which the pensioner will reside or of repairing the first-mentioned house, and if, within a period determined by the Director-General, the moneys are so used, the rate of the pension payable to the pensioner or his spouse shall not be reduced by reason of the ownership of those moneys."

Definitions.

9. Section fifty-nine of the Principal Act is amended by omitting paragraph (e) of the definition of " widow " and inserting in its stead the following paragraph :—

" (e) a woman whose husband has been convicted of an offence and is imprisoned and has been imprisoned for a period of not less than six months, including any period of imprisonment prior to and continuous with a period of imprisonment following upon the conviction."

Qualification  
for widow's  
pension.

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

" (i) whose husband has been convicted of an offence and is imprisoned and has been imprisoned for a period of not less than six months, including any period of imprisonment prior to and continuous with a period of imprisonment following upon the conviction ; and "

**11.** Section sixty-five of the Principal Act is amended by adding at the end thereof the following sub-sections :—

Computation  
of value of  
property.

“(2.) Where a charge or encumbrance lawfully exists on property the value of which is disregarded under paragraph (a) of the last preceding sub-section and the same charge or encumbrance lawfully exists on other property of the widow, the amount to be deducted under paragraph (b) of that sub-section shall be the amount which bears to the amount of the charge or encumbrance the same proportion as the value (as determined by the Director-General) of that other property bears to the value (as determined by the Director-General) of all the property of the widow on which the charge or encumbrance exists.

“(3.) Where, in the opinion of the Director-General, a charge or encumbrance is a collateral security, that charge or encumbrance, and the charge or encumbrance to which it is collateral (in this sub-section referred to as ‘the principal security’), shall, for the purposes of this section, be deemed to be one charge or encumbrance lawfully existing on any property on which either the collateral security or the principal security lawfully exists.”

**12.** Section seventy-nine of the Principal Act is amended—

Pension may  
be continued  
in certain  
cases.

(a) by inserting after the word “payable” the words “(or, having ceased to be payable, shall again, subject to this Act, become payable)” ; and

(b) by adding at the end thereof the following sub-sections :—

“(2.) The Director-General may, having regard to the nature of the employment of a child, to the amount earned by the child in that employment and to the time occupied by the child in that employment, determine that the employment shall, for the purposes of paragraph (b) of the last preceding sub-section, be disregarded.

“(3.) Where a direction is in force under sub-section (1.) of this section, the child in relation to whom the direction applies shall, for the purposes of this Part, be deemed to be a child under the age of sixteen years.”

**13.** Section eighty of the Principal Act is amended by adding at the end thereof the following sub-section :—

Benevolent  
asylum  
inmates.

“(2.) Payment shall not be made under the last preceding sub-section to the person controlling a benevolent asylum in respect of any period during which the pensioner is a qualified person within the meaning of the agreement executed under the *Hospital Benefits Act 1945-1947* between the Commonwealth and the State in which the benevolent asylum is situated.”

**14.** Section eighty-three of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

Application  
of insurance  
moneys.

“(1.) Where a house which is owned by a pensioner and is the permanent home of the pensioner is destroyed, demolished or

damaged, the Director-General may consent to any insurance moneys or compensation received by the pensioner in respect of the destruction, demolition or damage being used for the purpose of building or purchasing a house in which the pensioner will reside or of repairing the first-mentioned house, and if, within a period determined by the Director-General, the moneys are so used, the rate of the pension payable to the pensioner shall not be reduced by reason of the ownership of those moneys."

Persons  
disqualified for  
maternity  
allowance.

15. Section eighty-six of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section :—

"(2.) Notwithstanding the provisions of the last preceding sub-section, a maternity allowance may be granted to a woman who, by reason of those provisions, is not eligible for the grant of a maternity allowance, in respect of a birth which occurs within twelve months after her arrival in Australia but, unless the Director-General is satisfied that that woman is likely to remain in Australia, payment of the maternity allowance shall not be made until the expiration of twelve months from the date of her arrival."

Payment of  
maternity  
allowance  
in respect  
of birth  
during  
temporary  
absence from  
Australia.

16. Section ninety-two of the Principal Act is amended by inserting in paragraph (a) of sub-section (2.), after the figures "1947", the words "but is not a resident of the Territory of Papua, Norfolk Island or New Guinea to whose income derived from sources within those Territories that Act does not apply".

17. Section one hundred and four of the Principal Act is repealed and the following section inserted in its stead :—

Payment of  
endowment  
during  
temporary  
absence from  
Australia.

"104.—(1.) Where—

- (a) a man is employed by the Commonwealth or a State, or by an authority of the Commonwealth or a State, and is temporarily stationed outside Australia;
- (b) a woman is not in Australia and is the wife of such a man;
- (c) a man is not in Australia and is a member of the Defence Force;
- (d) a woman is not in Australia and is the wife of a man who is a member of the Defence Force; or
- (e) a man or woman whose usual place of residence is in Australia is temporarily absent from Australia,

and that man or woman has the custody, care and control of more than one child, this Part shall have effect as if that man or woman and each of those children were in Australia.

"(2.) An endowment shall not be granted or paid by virtue of the last preceding sub-section unless the person to whom the endowment is granted or paid (or, in the case of a woman, her husband) is a resident of Australia as defined by the *Income Tax Assessment Act 1936-1947* but is not a resident of the Territory of Papua, Norfolk Island or New Guinea, to whose income derived from sources within those Territories that Act does not apply.

“(3.) An endowment shall not be granted or paid to a person by virtue of sub-section (1.) of this section in respect of a child for any period for which that person has received, or is receiving, a payment, similar to an endowment, in respect of that child under the law of some other country.

“(4.) An endowment shall not be granted or paid to a woman specified in paragraph (b) or (d) of sub-section (1.) of this section whose usual place of residence is not in Australia, unless the Director-General is satisfied that she intends to become a resident of Australia as soon as it is reasonably possible for her to do so.

“(5.) Payment of an endowment shall not be made to a man or woman specified in paragraph (e) of sub-section (1.) of this section while that man or woman is temporarily absent from Australia, unless the Director-General is satisfied that the period of temporary absence is likely to exceed twelve months.”

**18.**—(1.) Section one hundred and six of the Principal Act is amended—

(a) by inserting after paragraph (a) of the definition of “income” the following paragraph:—

“(aa) a payment (other than a periodical payment or a payment representing an accumulation of instalments) made to reimburse a person in respect of medical, dental or similar expenses paid by him;”;

(b) by omitting paragraph (e) of the definition of “income” and inserting in its stead the following paragraph:—

“(e) a payment under section nine of the *Tuberculosis Act 1948*;”;

(c) by adding at the end thereof the following sub-section:—

“(2.) Where a person is entitled to receive income by way of periodical payments made at intervals longer than one week, that person shall be deemed to receive in each week an amount proportionate to the number of weeks in each period in respect of which he is entitled to receive payment.”

(2.) The amendment effected by paragraph (b) of the last preceding sub-section shall come into operation on the date on which section nine of the *Tuberculosis Act 1948* comes into operation.

**19.** Section one hundred and fifteen of the Principal Act is amended—

(a) by inserting in sub-section (2.), after the word “receive”, the words “, or to have received,”; and

(b) by omitting sub-section (4.) and inserting in its stead the following sub-sections:—

“(4.) Where—

(a) a person has received, in respect of an incapacity by reason of which he became qualified to receive a sickness benefit, a payment of the

Provisions  
where  
beneficiary  
entitled to  
compensation,  
&c.

kind referred to in sub-section (1.) of this section ; and

- (b) the whole or portion of that payment is in respect of a period in respect of which sickness benefit has been paid to him without reduction in accordance with sub-section (1.) of this section,

that person shall be liable to pay to the Director-General an amount equal to so much of the benefit as would not have been paid if the rate of the benefit had been so reduced.

“(5.) The Director-General may, by notice in writing served on a person (including the Commonwealth or an authority of the Commonwealth or a State or an authority of a State, and in this section referred to as ‘the person liable to pay compensation’) who is liable to make a payment of the kind referred to in sub-section (1.) of this section to or on behalf of another person (in this section referred to as ‘the person entitled to receive compensation’) in respect of an incapacity by reason of which he became qualified to receive a sickness benefit, inform the person liable to pay compensation that the Director-General proposes to recover from him the whole or some part of the amount of the benefit paid to the person entitled to receive compensation.

“(6.) The Director-General may, by the same notice or by a subsequent notice in writing served on the person liable to pay compensation, specify an amount payment of which is claimed by the Director-General, and thereupon the person liable to pay compensation shall become liable to pay to the Director-General the amount so specified and, in default of payment, the Director-General may recover that amount in any court of competent jurisdiction from the person liable to pay compensation.

“(7.) The amount which may be specified by the Director-General under the last preceding sub-section shall be an amount equal to so much of the benefit paid to the person entitled to receive compensation as would not have been paid if the rate of the benefit had, during the period in respect of which the compensation is payable, been reduced in accordance with sub-section (1.) of this section.

“(8.) After the service on a person of a notice under sub-section (5.) of this section, that person shall not pay to or on behalf of the person entitled to receive compensation any amount of compensation until the Director-General has specified the amount which the person liable to pay compensation is liable to pay to the Director-General.

“(9.) Payment of an amount to the Director-General under this section shall, to the extent of the payment, operate as a discharge to the person liable to pay compensation as against the person entitled to receive compensation.

“(10.) This section shall have effect, in relation to the Commonwealth or an authority of the Commonwealth, notwithstanding the provisions of any other Act which, but for this sub-section, would prevent this section having effect.”.

20. Part VIII. of the Principal Act is repealed and the following Part inserted in its stead :—

“PART VIII.—REHABILITATION OF PHYSICALLY HANDICAPPED PERSONS.

“134. In this Part, unless the contrary intention appears— Definitions.

- ‘beneficiary’ means a person in receipt of a benefit;
- ‘benefit’ means an unemployment benefit or a sickness benefit under Part VII. of this Act;
- ‘claimant’, in relation to a pension or a benefit, means a person who has lodged a claim under Part III. of this Act for an invalid pension or under Part VII. of this Act for an unemployment benefit or a sickness benefit and is qualified to receive that pension or benefit;
- ‘pension’ means an invalid pension under Part III. of this Act;
- ‘pensioner’ means a person in receipt of an invalid pension under Part III. of this Act;
- ‘trainee’ means a person who is receiving vocational training under this Part;
- ‘training’ means vocational training under this Part;
- ‘treatment’ means treatment under this Part;
- ‘vocation’ includes a profession or occupation;
- ‘vocational training’ includes training for a profession or occupation.

“135.—(1.) The Director-General may, on behalf of the Commonwealth provide, or arrange for the provision of— Provision of treatment and training.

- (a) the treatment and vocational training—
  - (i) of pensioners and claimants for pensions; and
  - (ii) of beneficiaries and claimants for benefits who, but for that treatment and training, would be likely to become unemployable; and

(b) such facilities and other things as are necessary in connexion with treatment or training referred to in either of the last two preceding paragraphs.

“(2.) The treatment and training referred to in sub-section (1.) of this section may include—

(a) medical, dental, psychiatric and hospital treatment (whether as an in-patient or an out-patient), physical training and exercise, physiotherapy, occupational therapy and pre-vocational training and other treatment under medical supervision ;

(b) the payment of tuition fees and other like fees in connexion with training ; and

(c) the provision of amenities incidental to treatment or training.

“(3.) The value of treatment and training provided under this section shall be deemed not to be income for the purposes of Part III. or Part VII. of this Act.

Eligibility  
for treatment  
and training.

“135A.—(1.) Subject to the next succeeding sub-section, the Director-General shall determine the persons who are eligible to receive treatment and training.

“(2.) A person shall not be eligible to receive treatment or training unless he is suffering from a physical or mental disability which—

(a) has existed for a period of not less than thirteen weeks ;

(b) appears likely to continue for a further period of not less than thirteen weeks ;

(c) is a substantial handicap to his engaging in a suitable vocation ; and

(d) except in the case of a permanently blind person, is remediable,

and there are reasonable prospects of his engaging in a suitable vocation within a period of two years after the commencement of treatment or training.

Continuance  
of pension  
or benefit  
during  
treatment.

“135B. A person who is receiving treatment (not being treatment received concurrently with training) shall, so long as he remains eligible under the other provisions of this Act, receive any pension or benefit for which he is for the time being qualified.

Fares.

“135c.—(1.) The Director-General may authorize the payment to a person who is receiving treatment of the whole, or such portion as the Director-General considers reasonable, of the cost of any railway, tramway, omnibus or other fares which that person regularly pays in travelling to receive treatment.

“(2.) An amount paid under the last preceding sub-section shall be deemed not to be income for the purposes of Part III. or Part VII. of this Act.

Payments  
during  
training.

“135D.—(1.) While a person is receiving training, he shall be paid a rehabilitation allowance at a rate determined in accordance with this section, together with a training allowance at the rate of One

pound per week, and any pension (including any wife's allowance or child's allowance payable by virtue of his being a pensioner), or any benefit, payable to or in respect of him, or which he is qualified to receive, shall be suspended.

"(2.) The rate of rehabilitation allowance payable to a person under the last preceding sub-section shall be—

(a) in the case of a pensioner or a claimant for a pension—the same rate as the rate of the pension which he is for the time being qualified to receive, together with an amount equal to the rate of any wife's allowance and child's allowance which would be payable by reason of his being a pensioner; and

(b) in the case of a beneficiary or a claimant for a benefit—the same rate as the rate of the pension which would for the time being be payable to that person if he were qualified to receive a pension, together with an amount equal to the rate of any wife's allowance and child's allowance which would, if he were a pensioner, be payable by reason of his being a pensioner.

"(3.) In addition to the allowances referred to in sub-section (1.) of this section, the Director-General may—

(a) where the Director-General is satisfied that it is necessary for a trainee to live away from his usual place of residence for the purpose of receiving training, authorize payment to the trainee of a living away from home allowance at a rate not exceeding—

(i) in the case of an unmarried trainee—Fifteen shillings per week for the first four weeks of the period of training;

(ii) in the case of a married trainee where neither the trainee nor his wife has the custody, care and control of any child under the age of sixteen years—One pound ten shillings per week for the first four weeks of the period of training and Fifteen shillings per week thereafter until the end of the period of training; and

(iii) in the case of a married trainee where the trainee or his wife has the custody, care and control of at least one child under the age of sixteen years—One pound ten shillings per week during the period of training; and

(b) authorize payment to the trainee of the whole, or of such portion as the Director-General considers reasonable, of the cost of any railway, tramway, omnibus or other fares which the trainee regularly pays in travelling to receive training.

"(4.) In the ascertainment of the rate of a pension or a wife's allowance for the purposes of sub-section (2.) of this section, an amount paid under this section shall be deemed not to be income.

Spouse of  
trainee in  
receipt of  
pension.

“ 135E. Where the spouse of a trainee is in receipt of, or is a claimant for, an age pension or an invalid pension under Part III. of this Act, any amount paid under the last preceding section shall be deemed not to be income for the purpose of determining the rate of the pension payable to the spouse.

Temporary  
vacation  
of home.

“ 135F. Where it is necessary for a person to vacate his home temporarily in order to receive treatment or training, the value of that home may, in the discretion of the Director-General, while that person is receiving treatment or training, be disregarded in the computation of the value of property for the purposes of—

- (a) determining the rate of the pension payable to that person and the rate of any wife's allowance payable by reason of his being a pensioner;
- (b) ascertaining the rate of pension and wife's allowance for the purposes of sub-section (2.) of section one hundred and thirty-five D of this Act; and
- (c) determining the rate of any age pension or invalid pension under Part III. of this Act payable to the spouse of that person.

Payment of  
rehabilitation  
allowances and  
training  
allowances.

“ 135G.—(1.) Rehabilitation allowances and training allowances shall be paid in fortnightly instalments on the same days as those on which pensions are paid.

“(2.) Where a rehabilitation allowance and a training allowance are granted to a person, payment shall be made from and including the next pension pay-day occurring after the date of commencement of that person's training (or, if that date is a pension pay-day, from and including that pension pay-day) to and including the day preceding the first pension pay-day occurring after the date of termination of that person's training.

“(3.) An amount included in a rehabilitation allowance in pursuance of sub-section (2.) of section one hundred and thirty-five D of this Act—

- (a) being an amount equal to the rate of a wife's allowance, shall be payable to the wife of the trainee; or
- (b) being an amount equal to the rate of a child's allowance, shall be payable to the wife, unless she is living apart from her husband.

“(4.) A married trainee may, in writing, authorize payment of the whole or any part of the rehabilitation allowance payable to the trainee under this Part to his or her spouse and the payment so authorized shall thereupon be made to the spouse until such time as the allowance ceases or the authority is revoked.

Acquisition  
of property  
to be  
notified.

“ 135H. Except as prescribed, whenever a trainee becomes the owner of property he shall, within twenty-eight days after becoming the owner of that property, notify a Director accordingly.

“ 135J. The cost of treatment and training provided for a pensioner Treatment, &c., to be provided free of cost. or a claimant for a pension, or for a beneficiary or a claimant for a benefit, and the cost of any medical examination for the purpose of determining the eligibility of a person to receive treatment, shall be borne by the Commonwealth.

“ 135K.—(1.) The Director-General may, on behalf of the Commonwealth— Provision of medical appliances, &c.

- (a) provide, or arrange for the provision of, such artificial replacements, surgical aids and surgical appliances as are necessary in connexion with the treatment or training of a person or to assist a person to engage in a suitable vocation after the discontinuance of his treatment or training; and
- (b) maintain and replace, or provide for the maintenance and replacement of, any article so provided or any such article used by a person who is receiving treatment or training.

“ (2.) A person who has been provided with an article under the last preceding sub-section and retains that article for his own use shall be liable to pay to the Commonwealth the cost, as determined by the Director-General, of that article.

“ (3.) Where an article used by a person is maintained or replaced under sub-section (1.) of this section, he shall be liable to pay to the Commonwealth the cost, as determined by the Director-General, of the maintenance or replacement of that article.

“ (4.) If, in the opinion of the Director-General, a person is unable to make any payment referred to in either of the last two preceding sub-sections during the period of his treatment or training, he shall not be required to make the payment until he has commenced to engage in a vocation after the discontinuance of his training.

“ 135L.—(1.) The Director-General may, on behalf of the Commonwealth, provide, or arrange for the provision of, such books, equipment, appliances and tools of trade (to a cost not exceeding Twenty pounds in the aggregate) as are necessary in connexion with the treatment or training of a person or to enable a person to engage in a suitable vocation after the discontinuance of his training. Provision of books, &c.

“ (2.) A person who, upon or after the discontinuance of his training, is provided with an article under the last preceding sub-section, shall be liable to pay to the Commonwealth the cost, as determined by the Director-General, of that article, but he shall not be required to make the payment until he has commenced to engage in a vocation.

“ 135M.—(1.) The Director-General may, having regard to the age and to the mental and physical capacity of a person who is a claimant for a pension or is a pensioner, and to the facilities available to that person for suitable treatment for physical rehabilitation and suitable Payment of invalid pension subject to certain conditions.

training for a vocation, refuse to grant a pension to that person or cancel or suspend that person's pension, unless that person receives such treatment or training.

"(2.) For the purpose of Part III. of this Act, a claimant for a pension, or a pensioner, who is receiving such treatment or training may be deemed, during the period of that treatment or training, to be permanently incapacitated for work.

Payment of benefit subject to certain conditions.

"135N. If, in the opinion of the Director-General, a person who is a claimant for a benefit or is a beneficiary should—

- (a) submit himself for medical, psychological or other like examination ;
- (b) receive medical or other treatment ;
- (c) undertake a course of training for the improvement of his physical or mental capacity ;
- (d) undertake a course of vocational training ; or
- (e) do any work suitable to be done by him,

the Director-General may refuse to grant a benefit to that person, or may cancel or suspend that person's benefit, unless that person complies with the requirements of the Director-General in respect of any such matter.

Persons becoming ineligible for pension or benefit during treatment or training.

"135P. Where, during the period of his treatment or training, a person receives income or acquires property and thereby becomes disqualified from receiving his pension, benefit or rehabilitation allowance, the Director-General may, at the request of that person, continue to provide him with treatment or training and that person shall be liable to pay to the Commonwealth the cost, as determined by the Director-General, of and incidental to the treatment and training provided after the date upon which that person became so disqualified.

Completion of treatment and training.

"135Q.—(1.) The treatment or training of a person shall be continued until, in the opinion of the Director-General, the treatment or training has been successfully completed or the Director-General is satisfied that that person will not receive any substantial benefit from continuance of the treatment or training.

"(2.) Upon the discontinuance of the training of a person, his rehabilitation allowance and training allowance shall, subject to the next succeeding sub-section, be cancelled.

"(3.) Where, upon the discontinuance of the training of a person, he is capable of engaging in a suitable vocation but is unable to obtain suitable employment or to undertake suitable work on his own account, payment of his rehabilitation allowance shall be continued until he obtains suitable employment or undertakes suitable work on his own account, or until the expiration of a period of three months, whichever first happens.

"(4.) Where a person's rehabilitation allowance has been cancelled, the pension or benefit of that person, which was suspended under section one hundred and thirty-five D of this Act, shall also be

cancelled unless that person is still qualified to receive that pension or benefit, in which case payment of the pension or benefit shall be resumed.

“(5.) The Director-General may permit a person whose training has been discontinued and who has become engaged in a vocation, or a person to whom sub-section (3.) of this section applies, to receive such treatment as the Director-General determines for a period not exceeding six months commencing on the date on which his training was discontinued.

“135R.—(1.) In this section, ‘compensation’ means any payment under another Act, a State Act, or an Ordinance of a Territory of the Commonwealth (being an Act, State Act or Ordinance relating to payments by way of, or in the nature of, compensation) in respect of the cost of medical treatment or surgical treatment or in respect of other treatment or training which was received as treatment or training under this Part.

Provision where person provided with treatment entitled to compensation.

“(2.) The Director-General may, by notice in writing served on a person (including the Commonwealth or an authority of the Commonwealth or a State or an authority of a State, and in this section referred to as ‘the person liable to pay compensation’) who is liable to pay an amount of compensation to or on behalf of another person (in this section referred to as ‘the person entitled to receive compensation’) who is receiving or has received treatment or training, inform the person liable to pay compensation that the Director-General proposes to recover from him the cost of and incidental to the treatment or training, or both, so received.

“(3.) The Director-General may, by the same notice or by a subsequent notice in writing served on the person liable to pay compensation, specify—

- (a) the cost of and incidental to the treatment or training, or both, received by the person entitled to receive compensation; and
- (b) an amount (not exceeding the amount of that cost) payment of which is claimed by the Director-General,

and thereupon the person liable to pay compensation shall become liable to pay to the Director-General the amount so specified and, in default of payment, the Director-General may recover that amount in any court of competent jurisdiction from the person liable to pay compensation.

“(4.) After the service on a person of a notice under sub-section (2.) of this section, that person shall not pay to or on behalf of the person entitled to receive compensation any amount of compensation until the Director-General has specified the amount which the person liable to pay compensation is liable to pay to the Director-General.

“(5.) Payment of an amount to the Director-General under this section shall, to the extent of the payment, operate as a discharge to the person liable to pay compensation as against the person entitled to receive compensation.

“(6.) This section shall have effect, in relation to the Commonwealth or an authority of the Commonwealth, notwithstanding the provisions of any other Act which, but for this sub-section, would prevent this section having effect.

Arrangements  
for provision  
of treatment  
and training  
for other  
persons.

“135s.—(1.) The Director-General may make an arrangement with an authority of the Commonwealth or of a State under which he may provide treatment and training for such persons, or the persons included in such classes of persons, as are specified in the arrangement.

“(2.) Any such arrangement shall contain provision for the payment to the Commonwealth of the cost, as determined by the Director-General, of, and incidental to, the treatment and training provided under the arrangement.

“(3.) The provisions of sections one hundred and thirty-five A, one hundred and thirty-five B, one hundred and thirty-five C, one hundred and thirty-five D, one hundred and thirty-five Q and one hundred and thirty-five R of this Act shall not apply to or in relation to any person provided with treatment or training in pursuance of an arrangement made under this section.”

Finance.

21. Section one hundred and thirty-six of the Principal Act is amended—

(a) by omitting the words “and benefits under this Act” and inserting in their stead the words “, benefits and other payments under this Act (except payments to which the next succeeding sub-section applies)” ; and

(b) by adding at the end thereof the following sub-section :—

“(2.) Payments in respect of expenditure of a capital nature incurred in connexion with the provision of treatment or training under Part VIII. of this Act shall be made out of moneys appropriated by the Parliament for the purpose.”

## STEVEDORING INDUSTRY.

No. 70 of 1948.

### An Act to amend the *Stevedoring Industry Act 1947.*

[Assented to 10th December, 1948.]

**B**E it enacted by the King'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 *Stevedoring Industry Act 1948.*