

## SOCIAL SERVICES CONSOLIDATION (NO. 2).

No. 26 of 1950.

### An Act to amend the *Social Services Consolidation Act 1947-1949*, as amended by the *Social Services Consolidation Act 1950*.

[Assented to 27th November, 1950.]

**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) 1950*.

(2.) The *Social Services Consolidation Act 1947-1949\**, as amended by the *Social Services Consolidation Act 1950†*, is in this Act referred to as the Principal Act.

(3.) Section one of the *Social Services Consolidation Act 1950* 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 1947-1950*.

Commencement.

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

Date of  
pension.

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

(a) by omitting from sub-section (1.) the words "One hundred and ten pounds ten shillings" and inserting in their stead the words "One hundred and thirty pounds";

(b) by omitting from paragraph (a) of sub-section (3.) the words "One hundred and sixty-two pounds ten shillings" and inserting in their stead the words "One hundred and eighty-two pounds";

(c) by omitting from paragraph (b) of sub-section (3.) the words "Three hundred and seventeen pounds four shillings" and inserting in their stead the words "Three hundred and thirty-eight pounds"; and

\* Act No. 26, 1947, as amended by Nos. 38 and 69, 1948; and No. 16, 1949.

† Act No. 6, 1950.

(d) by omitting from paragraph (c) of sub-section (3.) the words "Two hundred and sixty pounds" and inserting in their stead the words "Two hundred and seventy-nine pounds ten shillings".

4. Section thirty of the Principal Act is amended by omitting from sub-paragraph (iii) of paragraph (a) of sub-section (1.) the words "Two hundred pounds" and inserting in their stead the words "Five hundred pounds".

Computation of value of property.

5. Section thirty-three of the Principal Act is amended by omitting from sub-section (2A.) the words "Three hundred and seventeen pounds four shillings" and inserting in their stead the words "Three hundred and thirty-eight pounds".

Amount of wife's allowance.

6. Section thirty-six of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words "Three hundred and five pounds ten shillings" and inserting in their stead the words "Four hundred and sixteen pounds"; and

(b) by omitting from sub-section (2.) the words "Three hundred and five pounds ten shillings" and inserting in their stead the words "Four hundred and sixteen pounds".

Income of blind persons.

7. After section forty-eight of the Principal Act the following section is inserted:—

"48A. Where an allowance under section nine of the *Tuberculosis Act* 1948 is payable to or in respect of an age or invalid pensioner, his pension, and the allowances (if any) payable in respect of his wife or children by virtue of his being a pensioner, shall, without further or other authority than this section, be deemed to be suspended during the period in respect of which the allowance is paid."

Suspension of pension where allowance granted under *Tuberculosis Act* 1948.

8. Section fifty of the Principal Act is amended by omitting from sub-section (1.) the words "Thirty-nine pounds" and inserting in their stead the words "Forty-five pounds ten shillings".

Benevolent asylum inmates.

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

(a) by omitting from paragraph (a) of sub-section (1.) the words "One hundred and twenty-three pounds ten shillings" and inserting in their stead the words "One hundred and forty-three pounds";

(b) by omitting from paragraph (b) of sub-section (1.) the words "Ninety-six pounds four shillings" and inserting in their stead the words "One hundred and nine pounds four shillings";

Rate of widow's pension.

- (c) by omitting from paragraph (a) of sub-section (2A.) all the words from and including the words "One hundred and eighty-eight pounds ten shillings" to and including the words "Two hundred and one pounds ten shillings per annum" and inserting in their stead the words "Two hundred and eight pounds per annum";
- (d) by omitting from paragraph (b) of sub-section (2A.) the words "One hundred and sixty-two pounds ten shillings" and inserting in their stead the words "One hundred and eighty-two pounds";
- (e) by omitting from sub-section (3.) the words "Two pounds two shillings and sixpence" and inserting in their stead the words "Two pounds seven shillings and sixpence"; and
- (f) by omitting from sub-section (4.) the words "Three pounds two shillings and sixpence" and inserting in their stead the words "Three pounds ten shillings".

Computation of value of property.

10. Section sixty-five of the Principal Act is amended by omitting from sub-paragraph (iii) of paragraph (a) of sub-section (1.) the words "Two hundred pounds" and inserting in their stead the words "Five hundred pounds".

11. After section seventy-seven of the Principal Act the following section is inserted :—

Suspension of pension where allowance granted under the Tuberculosis Act 1948.

"77A. Where an allowance under section nine of the *Tuberculosis Act* 1948 is payable to or in respect of a pensioner, her pension shall, without further or other authority than this section, be deemed to be suspended during the period in respect of which the allowance is paid."

Benevolent asylum inmates.

12. Section eighty of the Principal Act is amended by omitting from sub-section (1.) the words "Thirty-three pounds sixteen shillings" and inserting in their stead the words "Thirty-nine pounds".

Qualification for endowment.

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

"(2.) Sub-paragraph (ii) of paragraph (a) and sub-paragraph (ii) of paragraph (b) of the last preceding sub-section shall not apply where—

- (a) the Director-General is satisfied that the claimant and the child are likely to remain permanently in Australia; or
- (b) the claim relates to a child who is in the custody, care and control of a member, or of the wife of a member, of the Naval, Military or Air Forces of the United Kingdom who is serving with the Naval, Military or Air Forces of the Commonwealth."

14. Section one hundred and six of the Principal Act is amended— Definitions.

(a) by omitting from paragraph (d) of the definition of "income" in sub-section (1.) the word "or"; and

(b) by adding at the end of that definition the following paragraphs:—

"(f) a pension payable under the *Australian Soldiers' Repatriation Act 1920-1949* (other than a service pension);

(g) a pension which is payable under the law of a country other than Australia and, in the opinion of the Director-General, is similar in character to a pension specified in the last preceding paragraph; or

(h) a pension payable under the *Seamen's War Pensions and Allowances Act 1940-1946*;"

15. Section one hundred and nineteen of the Principal Act is amended—

Date from which benefit shall commence.

(a) by omitting from sub-section (2.) the word "six" and inserting in its stead the word "thirteen"; and

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

"(4.) For the purposes of sub-section (2.) of this section, a person who has not, within the time specified in that sub-section, lodged a claim for sickness benefit, but has, within that time, made an application or claim for compensation under a law of the Commonwealth, or of a State or Territory of the Commonwealth, providing for the payment of compensation for injuries arising out of or in the course of employment, or out of and in the course of employment, shall, if he subsequently lodges a claim for the sickness benefit, be deemed to have lodged a claim for a sickness benefit on the day on which he made the application or claim for compensation."

16. After section one hundred and thirty-three of the Principal Act the following section is inserted in Division 8 of Part VII. :—

"133A. If a beneficiary is granted an allowance under section nine of the *Tuberculosis Act 1948*, the benefit payable to him shall, by force of this section, be cancelled."

Cancellation of benefit when allowance granted under *Tuberculosis Act 1948*.

17.—(1.) The amendments effected by sections three, five, six and eight of this Act shall be deemed to have commenced to apply in relation to the instalments of age and invalid pensions, or wives' allowances, as the case may be, which fell due on the second day of November, One thousand nine hundred and fifty.

Application of amendments.

(2.) The amendments effected by sections nine and twelve of this Act shall be deemed to have commenced to apply in relation to the instalments of widows' pensions which fell due on the seventh day of November, One thousand nine hundred and fifty.