



**MINERS' PENSIONS AMENDMENT ACT 1981**

**No. 90 of 1981**

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**AN ACT to amend the Miners' Pensions Act 1956 for the purpose of making further provision with respect to the deductions that are to be made in certain cases from pensions payable under that Act.**

**[Royal Assent 17 December 1981]**

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Miners' Pensions Amendment Act* 1981. Short title.

Commence-  
ment.

**2**—(1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such date as may be fixed by proclamation.

Principal Act.

**3**—In this Act, the *Miners' Pensions Act 1956\** is referred to as the Principal Act.

Amendment of  
section 3 of  
Principal Act  
(Interpre-  
tation).

**4**—Section 3 (1) of the Principal Act is amended by inserting the following definition after the definition of “owner”:

“pensioner” means a person in receipt of a pension payable under this Act;

Substitution of  
section 24 of  
Principal Act.

**5**—Section 24 of the Principal Act is repealed and the following section is substituted:—

Deductions  
from pensions  
in certain cases.

**24**—(1) Where, in relation to a period for which a pension is payable under this Act—

(a) a pensioner or any of his dependants receives or is entitled to receive an amount by way of an age or invalid pension under an Act of the Commonwealth; or

(b) an incapacitated pensioner under the age for retirement receives an amount by way of earnings, or would have received an amount by way of earnings from available employment that he should, in the opinion of the Board, have accepted,

that amount shall, in respect of that period, be deducted from the amount payable to the pensioner or his dependants, as the case may be, as a pension under this Act.

(2) Where a pensioner or a dependant of a pensioner—

(a) in the case of a male, attains the age of 65 years; or

(b) in the case of a female, attains the age of 60 years,

that pensioner or dependant shall, for the purposes of subsection (1), be regarded as being entitled to receive a full age pension applicable to that person under the *Social Services Act 1947* of the Commonwealth notwithstanding that no such pension or only part of such a pension is paid to that person.

\* No. 11 of 1956. For this Act, as amended to 1959, see the Reprint of Statutes (1826-1959), Vol. 4, p. 179. Subsequently amended by No. 29 of 1960, No. 53 of 1962, Nos. 35 and 77 of 1963, No. 55 of 1965, No. 3 of 1973, No. 5 of 1975, and by S.R. 1961, No. 128.

(3) In this section—

- (a) “ full age pension ” means the maximum amount of pension payable under the *Social Services Act* 1947 of the Commonwealth; and
- (b) “ pension ” includes a weekly sum under section 20.

