

SOCIAL SERVICES.

No. 57 of 1959.

An Act to amend the *Social Services Act* 1947-1958.

[Assented to 30th September, 1959.]

BE 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* 1959.
- (2.) The *Social Services Act* 1947-1958* 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* 1947-1959.

* 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; and No. 44, 1958.

2.—(1.) Subject to the next succeeding sub-section, this Act shall come into operation on a date to be fixed by Proclamation. Commencement.

(2.) Sections one, two, five, seven, ten, twelve, fifteen, twenty-one and twenty-five of this Act shall come into operation on the day on which this Act receives the Royal Assent.

3. Section five of the Principal Act is amended— Parts.

(a) by omitting the words—

“ Division 10.—General (Sections 47-53).”
and inserting in their stead the words—

“ Division 10.—General (Sections 48-53).”;

(b) by omitting the words—

“ Division 7.—General (Sections 76-83).”
and inserting in their stead the words—

“ Division 7.—General (Sections 77-83).”;

(c) by omitting the words—

“ Division 2.—Qualifications for Benefits (Sections 107-111).”

and inserting in their stead the words—

“ Division 2.—Qualifications for Benefits (Sections 107-110).”.

4. Section seventeen of the Principal Act is amended by omitting sub-section (3.) and inserting in its stead the following sub-section:— Officers to observe secrecy.

“(3.) A person who is, or has been, an officer shall not, except for the purposes of this Act, be required—

(a) to produce in court any document that has come into his possession or under his control in the performance of his duties or functions under this Act or any Act repealed by this Act; or

(b) to divulge or communicate to a court any matter or thing that has come under his notice in the performance of any such duties or functions.”.

5. Section eighteen of the Principal Act is amended— Definitions.

(a) by inserting in paragraph (a) of the definition of “income”, after the word “payment”, the words “(not being a payment of an annuity)”;

(b) by inserting in paragraph (b) of the definition of “income”, after the word “payment”, the words “(not being a payment of an annuity)”;

(c) by omitting from paragraph (b) of the definition of “income” the word “or”;

(d) by adding at the end of the definition of “income” the following word and paragraph:—

“ or (f) an amount payable by the Repatriation Commission as a clothing allowance to a member of the Forces whose clothing,

because of a disability from which he suffers, is subject to exceptional wear and tear or damage;”.

Aliens.

6. Section nineteen of the Principal Act is amended by omitting sub-section (2.).

Rate of pension.

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

- (a) by omitting from sub-section (1A.) the words “Two hundred and twenty-seven pounds ten shillings” and inserting in their stead the words “Two hundred and forty-seven pounds”; and
- (b) by omitting from sub-paragraph (i) of paragraph (b) of sub-section (3.) the words “Thirty-one pounds ten shillings” and inserting in their stead the words “Thirty-three pounds”.

8. Section forty-three of the Principal Act is repealed and the following section inserted in its stead:—

Payment of pension to other person, &c.

“43. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a pension should be made to a person, institution or authority on behalf of the pensioner, the Director-General may authorize payment accordingly.”.

Provisions with respect to aboriginal natives.

9. Section forty-seven of the Principal Act is repealed.

Inmates of benevolent homes.

10. Section fifty of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “Seventy-nine pounds six shillings” and inserting in their stead the words “Eighty-five pounds sixteen shillings”.

Conditions of grant of widow's pension.

11. Section sixty-two of the Principal Act is amended by omitting sub-section (2.).

Rate of widow's pension.

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

- (a) by omitting from paragraph (a) of sub-section (1.) the words “Two hundred and forty pounds ten shillings” and inserting in their stead the words “Two hundred and sixty pounds”;
- (b) by omitting from paragraph (ab) of sub-section (1.) the words “Two hundred and forty pounds ten shillings” and inserting in their stead the words “Two hundred and sixty pounds”;
- (c) by omitting from paragraph (b) of sub-section (1.) the words “One hundred and ninety-five pounds” and inserting in their stead the words “Two hundred and fourteen pounds ten shillings”; and
- (d) by omitting from sub-section (3.) the words “Three pounds fifteen shillings” and inserting in their stead the words “Four pounds two shillings and sixpence”.

13. Section seventy-two of the Principal Act is repealed and the following section inserted in its stead :—

“ 72. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a pension should be made to a person, institution or authority on behalf of the pensioner, the Director-General may authorize payment accordingly.”

Payment of pension to other person, &c.

14. Section seventy-six of the Principal Act is repealed.

Provisions with respect to aboriginal natives.

15. Section eighty of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “ Seventy pounds four shillings ” and inserting in their stead the words “ Seventy-six pounds fourteen shillings ”.

Inmates of benevolent homes.

16. Section eighty-six of the Principal Act is amended by omitting sub-section (3.).

Persons disqualified for maternity allowance.

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

“ 91. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a maternity allowance should be made to a person, institution or authority on behalf of the person to whom the allowance is granted, the Director-General may authorize payment accordingly.”

Payment of allowance to other person, &c.

18. Section ninety-seven of the Principal Act is repealed and the following section inserted in its stead :—

“ 97. An endowment shall not be granted to an aboriginal native of Australia in respect of a child who is wholly or mainly dependent upon the Commonwealth or a State for his support.”

Children of aboriginal natives of Australia.

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

“ 100. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of an endowment should be made to a person, institution or authority on behalf of the endowee, the Director-General may authorize payment accordingly.”

Payment of endowment to other person, &c.

20. Section one hundred and five of the Principal Act is amended by omitting the words “ or institution ” and inserting in their stead the words “ , institution or authority ”.

Application of endowment.

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

Interpretation.

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

(b) by adding at the end of the definition of "income" in sub-section (1.) the following word and paragraph:—

"or (i) an amount payable by the Repatriation Commission as a clothing allowance to a member of the Forces whose clothing, because of a disability from which he suffers, is subject to exceptional wear and tear or damage;"

Aboriginal natives.

22. Section one hundred and eleven of the Principal Act is repealed.

Manner of payment of unemployment benefit and sickness benefit.

23. Section one hundred and twenty-three of the Principal Act is amended by omitting from sub-section (1.) the words "such other person" and inserting in their stead the words "such person, institution or authority".

24. After section one hundred and thirty-seven of the Principal Act the following section is inserted:—

Certain aboriginals not entitled to a pension, &c.

"137A. An aboriginal native of Australia who follows a mode of life that is, in the opinion of the Director-General, nomadic or primitive is not entitled to a pension, allowance, endowment or benefit under this Act."

Application of certain amendments.

25. The amendments effected by sections seven, ten, twelve and fifteen of this Act apply in relation to an instalment of pension falling due on the first pension pay day after the day on which this Act receives the Royal Assent and to all subsequent instalments.