

WAR GRATUITY (No. 2).

No. 17 of 1920.

An Act to amend the *War Gratuity Act 1920*.

[Assented to 29th May, 1920.]

BE it enacted by the King'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 *War Gratuity Act (No. 2)* 1920. Short title and citation.

(2.) The *War Gratuity Act 1920* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *War Gratuity Acts 1920*.

2. Section two of the Principal Act is amended—

Definitions.

(a) by inserting in the definition of "Dependants", after the word "Forces" (first occurring), the words "or an Imperial Reservist";

(b) by adding at the end of that definition the words "or, in the case of a dependant of an Imperial Reservist, was so wholly or partly dependent at any time after or within twelve months before the date of the embarkation of the Imperial Reservist (or the first of them, if more than one)"; and

(c) by adding at the end of the definition of "Member of the Forces" the following paragraph:—

"or (c) a person who is or was a member of the Naval and Military Expeditionary Force to New Guinea;" .

3. Section three of the Principal Act is amended by inserting in paragraph (e) (i) of sub-section (1.) thereof after the word "oversea," the words "or joined an Australian Expeditionary Force abroad on or before that date,". Payment of war gratuity.

4. Section four of the Principal Act is amended—

(a) by adding, at the end of sub-section (2.), the following proviso:— Rate of war gratuity.

"Provided that in the case of a person specified in paragraph (b) or (e) (ii) of that sub-section, who died while on service, or who is totally and permanently incapacitated as a result of such service, the rate of war gratuity payable shall be one shilling and sixpence per diem." ; and

- (b) by omitting from sub-section (5.) the words " who was transferred from the Commonwealth Naval or Military Forces to", and inserting in their stead the words " who, after service in the Commonwealth Naval or Military Forces, served in ".

Qualifying
period of war
service.

5. Section five of the Principal Act is amended—

- (a) by inserting after the words " member of the Forces " (wherever occurring) the words " or an Imperial Reservist " ;
- (b) by inserting in paragraph (b) of sub-section (1.), after the word " three ", the words " , not being a person who died while on service or who is totally and permanently incapacitated as a result of such service " ;
- (c) by inserting, after paragraph (b) of sub-section (1.), the following paragraph :—
- " (bb) in the case of a person specified in paragraph (b) of sub-section (1.) of section three, who died while on service or who is totally and permanently incapacitated as a result of such service—the period from the fourth day of August, One thousand nine hundred and fourteen, or the date of his appointment or enlistment (whichever is the later), up to the twenty-eighth day of June, One thousand nine hundred and nineteen ; " ;
- (d) by inserting in paragraph (d) of sub-section (1.) after the word " nineteen ", the words " , or, in the case of a person who joined an Australian Expeditionary Force abroad, the period from the date of his enlistment in or appointment to that Force, up to the twenty-eighth day of June, One thousand nine hundred and nineteen " .
- (e) by inserting in paragraph (e) of sub-section (1.), after the word " three ", the words " , not being a person who died while on service or who is totally and permanently incapacitated as a result of such service " ;
- (f) by inserting, after paragraph (e) of sub-section (1.), the following paragraph :—
- " (ee) in the case of a person specified in paragraph (e) (ii) of sub-section (1.) of section three, who died while on service or who is totally and permanently incapacitated as a result of such service—the period from the date upon which he reported in camp up to the twenty-eighth day of June, One thousand nine hundred and nineteen ; and " ;
- (g) by inserting in paragraph (a) of sub-section (3.), after the word " discharged ", the words " or died while on service " ;
- (h) by inserting in paragraph (a) of sub-section (3.), after the word " discharge ", the words " or death " ;

- (i) by inserting in paragraph (c) of sub-section (3.), after the words "the member" (wherever occurring), the words "or Imperial Reservist, as the case may be,";
- (j) by omitting paragraph (e) of sub-section (3.); and
- (k) by inserting in paragraph (a) of sub-section (4.), after the word "three", the words "not being a person who died while on service or who is totally and permanently incapacitated as a result of such service".

6. Section fifteen of the Principal Act is amended by omitting the words "or the *War Service Homes Act 1918-1919*", and inserting in their stead the words "or in payment of moneys by that person to the War Service Homes Commissioner for the purposes of the *War Service Homes Act 1918-1919*." Acceptance of bonds by Repatriation Department or War Service Homes Commission.

7. Section eighteen of the Principal Act is amended by inserting, after the words "to be", the words "property or". Gratuity and interest not liable to income tax.

8. Section twenty of the Principal Act is amended by adding at the end thereof the following words "and in particular— Regulations.

- (a) for conferring upon the prescribed authority powers in relation to the summoning of witnesses, the taking of evidence on oath, and the production of documents, and
- (b) for providing penalties, not exceeding Fifty pounds, for any failure to comply with any requirement made by a prescribed authority in the exercise of any such powers."