

INTERIM FORCES BENEFITS.

No. 46 of 1947.

An Act to provide certain Benefits for members of the Interim Forces by reason of their service with such Forces, and for other purposes.

[Assented to 12th June, 1947.]

BE 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. 1. This Act may be cited as the *Interim Forces Benefits Act* 1947.

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

Definitions. 3 In this Act, unless the contrary intention appears—
 “ discharge ” includes termination of appointment ;
 “ member of the Interim Forces ” means a person who, after the thirtieth day of June, One thousand nine hundred and forty-seven, and prior to a date fixed by the Minister by notice in the *Gazette*, enlists or re-engages in, or is appointed or re-appointed to, the Naval, Military or Air Forces of the Commonwealth for a term not exceeding two years.

Benefits of members of the Forces. 4. In addition to the rights derived by members of the Naval, Military or Air Forces of the Commonwealth, who enlist or re-engage in, or are appointed or re-appointed to, those Forces after the thirtieth day of June, One thousand nine hundred and forty-seven, as the conditions directly governing their service in any of those Forces under any law regulating that service, the benefits, advantages and assistance which shall accrue to, or in relation to, those members by reason of their service after that date, shall be those which are provided for or in respect of those members by this Act and the regulations made under this Act and shall be no others.

Leave on discharge. 5.—(1.) A member of the Interim Forces shall, immediately prior to his discharge, unless his discharge is, in the opinion of the prescribed authority, other than an honorable discharge, be entitled to leave of absence—

(a) where the member has been engaged in those Forces for a period of not less than six months—for a period of thirty days ; and

(b) in any other case—for a period of fifteen days.

(2.) Leave under this section in respect of service as a member of the Interim Forces shall, subject to the next succeeding sub-section, be calculated independently of any prior period of service with the Naval, Military or Air Forces of the Commonwealth commenced before the first day of July, One thousand nine hundred and forty-seven.

(3.) Where the service of a member of the Interim Forces is continuous with a prior period of service with the Naval, Military or Air Forces of the Commonwealth commenced before the first day of July, One thousand nine hundred and forty-seven, one period of leave may be granted under this section in respect of the sum of both periods of service, and the right to leave provided by this sub-section in respect of any period of service shall be in substitution for any right to leave in respect of that period under any other Act.

6.—(1.) Subject to the provisions of this section, the provisions of Divisions 1 to 4 (inclusive) (other than section twenty-four) of Part III. of the *Australian Soldiers' Repatriation Act* 1920-1947, of sections one hundred and one and one hundred and three of that Act and of the Schedules to that Act, shall extend to, and in relation to, male members of the Interim Forces and to the dependants of such members.

War pensions
for male
members of
the Interim
Forces.

(2.) For the purposes of the extension of the provisions of Divisions 1 to 4 (inclusive) of Part III. of the *Australian Soldiers' Repatriation Act* 1920-1947 and of sections one hundred and one and one hundred and three of, and of the Schedules to, that Act as provided in the last preceding sub-section—

- (a) any reference to a member of the Forces shall be read as a reference to a male member of the Interim Forces ;
- (b) any reference in those Divisions, sections or Schedules or in any Act affecting those Divisions, sections or Schedules, to dependants shall, except where otherwise expressly provided, be read in the same manner as is provided in paragraph (b) of sub-section (2.) of section ninety-nine of the *Australian Soldiers' Repatriation Act* 1920-1947 ;
- (c) paragraph (a) of sub-section (1.) of section one hundred and one of that Act shall be read as if the words "service outside Australia" were substituted for the words "active service" and as if the words "or the termination of the war whichever first happens" were inserted after the word "enlistment" (second occurring) ;
- (d) paragraph (d) of the proviso to sub-section (1.) of section one hundred and one of that Act shall be deemed to be omitted ;
- (e) sub-section (2.) of section one hundred and one of that Act shall be read as if the words "service outside Australia" were substituted for the words "active service" ; and

(f) sub-section (4.) of section one hundred and one of that Act shall be deemed to be omitted.

War pensions
for female
members of
the Interim
Forces.

7.—(1.) Subject to the provisions of this section the provisions of Divisions 1 to 4 (inclusive) (other than section twenty-four) of Part III. of the *Australian Soldiers' Repatriation Act 1920-1947*, sections one hundred and one, one hundred and three and one hundred and six of, and of the Schedules to that Act, shall extend to and in relation to, female members of the Interim Forces and to the dependants of such members.

(2.) For the purposes of the extension of the provisions of Divisions 1 to 4 (inclusive) of Part III. of the *Australian Soldiers' Repatriation Act 1920-1947*, of sections one hundred and one, one hundred and three and one hundred and six of, and of the Schedules to, that Act as provided in the last preceding sub-section—

- (a) any reference to a member of the Forces shall be read as a reference to a female member of the Interim Forces ;
- (b) any reference in those Divisions, sections or Schedules or in any Act affecting those Divisions, sections or Schedules, to dependants shall, except where otherwise expressly provided, be read in the same manner as is provided in paragraph (b) of sub-section (2.) of section one hundred and four of the *Australian Soldiers' Repatriation Act 1920-1947* ;
- (c) paragraph (a) of sub-section (1.) of section one hundred and one of that Act shall be read as if the words "service outside Australia" were substituted for the words "active service" and the words "or the termination of the war whichever first happens" were inserted after the word "enlistment" (second occurring) ;
- (d) paragraph (d) of the proviso to sub-section (1.) of section one hundred and one of that Act shall be deemed to be omitted ;
- (e) sub-section (2.) of section one hundred and one of that Act shall be read as if the words "service outside Australia" were substituted for the words "active service" ; and
- (f) sub-section (4.) of section one hundred and one of that Act shall be deemed to be omitted.

Legal
assistance.

8. The legal service bureaux established by the Attorney-General for the purpose of furnishing legal advice to members of the Forces, discharged members of the Forces and the dependants of such members and discharged members, shall be available to members of the Naval, Military or Air Forces of the Commonwealth who enlist

or re-engage in, or are appointed or re-appointed to, those Forces after the thirtieth day of June, One thousand nine hundred and forty-seven, to discharged members who had so enlisted or re-engaged or had been so appointed or re-appointed and to the dependants of such members and discharged members.

9. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Act and, in particular— Regulations.

- (a) for providing for the granting of assistance and benefits to members of the Interim Forces and to the wives, widows and children of such members ;
 - (b) for specifying the persons who shall, for the purposes of the regulations, be deemed to be the wives, widows or children of such members ; and
 - (c) for prescribing a penalty of a fine not exceeding Twenty-five pounds or of imprisonment not exceeding three months for any offence against the regulations.
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