



# Social Security Legislation Amendment Act 1982

No. 98 of 1982

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# Social Security Legislation Amendment Act 1982

No. 98 of 1982

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## An Act relating to social security

[Assented to 27 October 1982]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### PART I—PRELIMINARY

#### Short title

1. This Act may be cited as the *Social Security Legislation Amendment Act 1982*.

#### Commencement

2. (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Sections 38, 45, 52, 59 and 79 shall come into operation, or shall be deemed to have come into operation, as the case requires, on 1 November 1982.

(3) Section 60 shall come into operation on 1 February 1983.

(4) Parts III and IV and sections 30, 32, 37, 41, 42, 46, 53, 57, 58, 61, 64, 71, 75, 78, 82, 84, 87, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102 and 103 shall come into operation on 1 March 1983.

(5) Sections 31, 76 and 104 shall come into operation on 1 April 1983.

(6) Part VII shall be deemed to have come into operation on 1 February 1982.

(7) Part VIII shall be deemed to have come into operation on 1 August 1982.

(8) Sections 29 and 74 shall be deemed to have come into operation on 17 August 1982.

## **PART II—AMENDMENTS OF THE AGED OR DISABLED PERSONS HOMES ACT 1954**

### **Principal Act**

3. The *Aged or Disabled Persons Homes Act 1954*<sup>1</sup> is in this Part referred to as the Principal Act.

### **Interpretation**

4. (1) Section 2 of the Principal Act is amended—

- (a) by omitting “force” from sub-paragraph (a) (iii) of the definition of “eligible organization” and substituting “Force”;
- (b) by omitting “Governor-General” (wherever occurring) from the definition of “eligible organization” and substituting “Minister”; and
- (c) by omitting “Director-General of Social Services” from the definition of “the Director-General” and substituting “Director-General of Social Security”.

(2) An approval given by the Governor-General before the commencement of this section for the purposes of the definition of “eligible organization” in section 2 of the Principal Act shall, after the commencement of this section, be deemed to be an approval given by the Minister for the purposes of that definition in section 2 of the Principal Act as amended by this Act.

### **Amounts of grants**

5. Section 9 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (a) “four-fifths” and substituting “80%”; and
- (b) by omitting from paragraph (1) (b) “four” and substituting “4”.

**Authorization of payments**

6. (1) Section 10C of the Principal Act is amended by omitting from sub-section (1) “\$80” and substituting “\$120”.

(2) The amendment made by sub-section (1) applies in respect of payments to an approved organization in respect of persons residing in accommodation provided by that organization on each date that is a prescribed date in relation to that organization, being a date that is not earlier than 1 July 1982.

**Delegation**

7. Section 10H of the Principal Act is amended by omitting from sub-section (1) “the Deputy Director-General of Social Services, a First Assistant Director-General of Social Services, an Assistant Director-General of Social Services, a Director of Social Services or any other officer” and substituting “any officer”.

**PART III—AMENDMENT OF THE COMPENSATION  
(COMMONWEALTH GOVERNMENT EMPLOYEES) ACT 1971**

**Principal Act**

8. The *Compensation (Commonwealth Government Employees) Act 1971*<sup>2</sup> is in this Part referred to as the Principal Act.

**Provision of vocational training**

9. Section 38 of the Principal Act is amended by omitting sub-section (3) and substituting the following sub-section:

“(3) Part VIII of the *Social Security Act 1947* applies, so far as it is capable of application, in relation to a person who is receiving vocational training in pursuance of this section as if he were an invalid pensioner under Part III of that Act and a person referred to in paragraph 135 (1) (a) of that Act but he is not entitled to receive any amount per week under that Part of that Act except to the extent that that amount per week exceeds the amount per week of the compensation payable to him under sub-section (5) of this section.”.

**PART IV—AMENDMENTS OF THE DEFENCE  
(RE-ESTABLISHMENT) ACT 1965**

**Principal Act**

10. The *Defence (Re-establishment) Act 1965*<sup>3</sup> is in this Part referred to as the Principal Act.

11. After section 46 of the Principal Act the following section is inserted in Part V:

### **Interpretation**

“46A. In this Part—

‘Director-General’ means the Director-General of Social Security;

‘Social Security Act’ means *Social Security Act 1947.*”.

### **Application of Part VIII of Social Security Act**

12. Section 47 of the Principal Act is amended—

(a) by omitting sub-sections (1) and (2) and substituting the following sub-section:

“(1) Part VIII of the Social Security Act (other than sections 135B, 135BA, 135BC, 135BD and 135D) applies in relation to a disabled person as if he were a pensioner referred to in paragraph 135 (1) (a) of that Act.”; and

(b) by omitting from sub-section (3) “of Social Services”.

13. Section 48 of the Principal Act is repealed and the following section is substituted:

### **Payments during treatment or training**

“48. (1) While a disabled person is receiving treatment or training or treatment and training under Part VIII of the Social Security Act, he shall be paid a rehabilitation allowance at a rate determined in accordance with sub-section (2).

“(2) The rate of a rehabilitation allowance payable to a disabled person under sub-section (1) is a rate equal to the rate of the invalid pension under Part III of the Social Security Act and the rate of any allowance by way of supplementary assistance or incentive allowance under that Part of that Act that would be payable to the disabled person, and the rate of any wife’s pension under that Part of that Act that would be payable to another person and the rate of any allowance by way of supplementary assistance that would be payable under that Part of that Act to that other person, if that disabled person were qualified to receive an invalid pension under that Part of that Act and the income, for the purposes of that Part of that Act, of the disabled person and of the other person were nil.

“(3) While a disabled person is receiving training (whether or not he is also receiving treatment), he shall be paid, in addition to a rehabilitation allowance—

(a) a training allowance at the rate that would be applicable to the person if section 135D of the Social Security Act applied in relation to the person; and

(b) where the Director-General is satisfied that it is necessary for the disabled person to live away from his usual place of abode for the purpose of receiving training—a living away from home allowance at the rate that would be applicable to the person if sub-section 135D (5) of the Social Security Act applied in relation to the person.

“(4) While a disabled person is in receipt of a rehabilitation allowance under this Part, any pension, benefit or allowance (including an allowance payable to him by way of supplementary assistance, supplementary allowance or incentive allowance) payable to him under Part III, IV, IVAAA, VII or VIIA of the Social Security Act and any wife’s pension (including any allowance by way of supplementary assistance) payable to another person by reason of the disabled person being a pensioner under that Act shall be suspended.”.

**Persons not entitled to assistance or benefit**

**14.** Section 49 of the Principal Act is amended by omitting paragraph (b) and substituting the following paragraph:

“(b) unless he applied to the Director-General for assistance or benefit under this Part within 12 months after the completion of his national service.”.

**Interpretation**

**15.** Section 49A of the Principal Act is amended—

(a) by omitting “Director-General of Social Services” from the definition of “Director-General” in sub-section (1) and substituting “Director-General of Social Security”; and

(b) by omitting from sub-section (1) the definition of “Social Services Act” and substituting the following definition:

“ ‘Social Security Act’ means the *Social Security Act 1947*.”.

**Application of Part VIII of the Social Security Act**

**16.** Section 49B of the Principal Act is amended—

(a) by omitting “Social Services Act” and substituting “Social Security Act”;

(b) by omitting “135D and 135H” and substituting “135BA, 135BC, 135BD and 135D”;

(c) by omitting “for the purposes of that Part” and substituting “referred to in paragraph 135 (1) (a) of that Act”.

**Payments during treatment or training**

**17.** Section 49C of the Principal Act is amended—

(a) by inserting in sub-section (1) “or treatment and training” after “training”;

(b) by omitting from sub-section (1) “Social Services Act” and substituting “Social Security Act”;

(c) by omitting from sub-section (2) “Social Services Act” and substituting “Social Security Act”;

(d) by inserting in sub-section (2) “or incentive allowance” after “supplementary assistance” (first occurring);

(e) by omitting from sub-section (2) “means as assessed” and substituting “income”;

- (f) by inserting in sub-section (3) “(whether or not he is also receiving treatment)” after “training” (first occurring);
- (g) by omitting paragraphs (3) (a) and (b) and substituting the following paragraphs:
  - “(a) a training allowance at the rate that would be applicable to the person if section 135D of the Social Security Act applied in relation to the person; and
  - (b) where the Director-General is satisfied that it is necessary for the disabled person to live away from his usual place of abode for the purpose of receiving training—a living away from home allowance at the rate that would be applicable to the person if sub-section 135D (5) of the Social Security Act applied in relation to the person.”;
- (h) by omitting sub-section (4); and
- (j) by omitting sub-section (5) and substituting the following sub-section:
  - “(5) While a disabled person is in receipt of a rehabilitation allowance under this Part, any pension, benefit or allowance (including an allowance payable to him by way of supplementary assistance, supplementary allowance or incentive allowance) payable to him under Part III, IV, IVAAA, VII or VIIA of the Social Security Act and any wife’s pension (including any allowance by way of supplementary assistance) payable to another person by reason of the disabled person being a pensioner under that Act shall be suspended.”.

**Persons not entitled to assistance or benefit**

**18.** Section 49D of the Principal Act is amended by omitting paragraph (b) and substituting the following paragraph:

- “(b) unless he applies to the Director-General for that assistance or benefit within a period of 12 months commencing on the date on which he becomes a former regular serviceman.”.

**PART V—AMENDMENTS OF THE DELIVERED MEALS  
SUBSIDY ACT 1970**

**Principal Act**

**19.** The *Delivered Meals Subsidy Act 1970*<sup>4</sup> is in this Part referred to as the Principal Act.

**Interpretation**

**20.** Section 3 of the Principal Act is amended—

- (a) by omitting “sixty-five” from the definition of “aged person” in sub-section (1) and substituting “65”;
- (b) by omitting “sixty” (last occurring) from the definition of “aged person” in sub-section (1) and substituting “60”;

- (c) by omitting “Director-General of Social Services” from the definition of “the Director-General” in sub-section (1) and substituting “Director-General of Social Security”;
- (d) by omitting from paragraph (2) (b) “three” (wherever occurring) and substituting “3”; and
- (e) by omitting from paragraph (2) (b) “1st January, 1974,” and substituting “1 January 1974”.

#### **Director-General’s approvals**

**21.** Section 5 of the Principal Act is amended—

- (a) by omitting from sub-section (1A) “paragraph (c) of the last preceding sub-section” and substituting “paragraph (1) (c)”; and
- (b) by omitting from sub-section (3) “paragraph (b) or (c) of sub-section (1)” and substituting “paragraph (1) (b) or (c)”.

#### **Authorization of payments**

**22.** (1) Section 6 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (a) “45 cents” and substituting “55 cents”; and
- (b) by omitting from paragraph (1) (b) “40 cents” and substituting “50 cents”.

(2) The amendments made by sub-section (1) apply in relation to payments under the *Delivered Meals Subsidy Act 1970* that are calculated by reference to meals provided on or after 1 October 1982.

#### **Moneys to be paid out of National Welfare Fund**

**23.** Section 10 of the Principal Act is amended by omitting “1943-1952” and substituting “1943”.

#### **Delegation**

**24.** Section 11 of the Principal Act is amended by omitting from sub-section (1) “the Deputy Director-General of Social Services, a First Assistant Director-General of Social Services, an Assistant Director-General of Social Services, a Director of Social Services or any other officer” and substituting “any officer”.

### **PART VI—AMENDMENTS OF THE SOCIAL SECURITY ACT 1947**

#### **Principal Act**

**25.** The *Social Security Act 1947*<sup>5</sup> is in this Part referred to as the Principal Act.

#### **Interpretation**

**26.** Section 6 of the Principal Act is amended by inserting after the definition of “friendly society” in sub-section (1) the following definition:

“ ‘medical practitioner’ means a person registered or licensed as a medical practitioner under a law of a State or Territory, being a law that provides for the registration or licensing of medical practitioners;”.

**27. (1)** After section 6 of the Principal Act the following section is inserted in Part I:

**Certain persons to be disregarded for certain purposes**

“6A. (1) For the purposes of the application of this Act—

- (a) in relation to whether a pension, benefit or allowance is payable, or may continue to be payable, to a person under this Act; or
- (b) in relation to the rate or amount of a pension, benefit or allowance payable to a person under this Act,

no regard shall be had to another person who—

- (c) has been granted a benefit under Part IVAAA; or
- (d) is receiving a rehabilitation allowance under Part VIII and who, immediately before he became eligible to receive that allowance, was eligible to receive a benefit under Part IVAAA.

“(2) A family allowance under Part VI is not payable to an institution in respect of a person who is an inmate of the institution if the person—

- (a) has been granted a benefit under Part IVAAA; or
- (b) is receiving a rehabilitation allowance under Part VIII and who, immediately before he became eligible to receive that allowance, was eligible to receive a benefit under Part IVAAA.”.

**(2)** The sub-section 6A (1) (in this sub-section referred to as the “relevant sub-section”) that is inserted in the *Social Security Act 1947* by sub-section (1) of this section does not apply in relation to—

- (a) a pension, benefit or allowance payable to a person under that Act if—
  - (i) that pension, benefit or allowance, as the case may be, was granted to that person (whether before or after the prescribed date) pursuant to a claim lodged before the prescribed date; and
  - (ii) that person has not ceased to be eligible or qualified to receive that pension, benefit or allowance, as the case may be, (otherwise than by virtue of sub-section 135B (3) of that Act) since the prescribed date; or
- (b) a rehabilitation allowance payable to that person under Part VIII of that Act the amount of which is calculated by reference to such a pension, benefit or allowance,

insofar as the relevant sub-section would, in relation to another person who is receiving a benefit under Part IVAAA of that Act or a rehabilitation allowance under Part VIII of that Act, affect the qualification or eligibility of the first-mentioned person for that pension, benefit or allowance, as the case may

be, or the rate or amount of that pension, benefit or allowance (including a rehabilitation allowance), as the case may be, if that other person—

- (c) was granted a benefit under Part IVAAA of that Act (whether before or after the prescribed date) pursuant to a claim lodged before the prescribed date; and
- (d) has not ceased to be eligible to receive a benefit under Part IVAAA of that Act (otherwise than by virtue of sub-section 135B (3) of that Act) since the prescribed date.

(3) The sub-section 6A (2) that is inserted in the *Social Security Act 1947* by sub-section (1) of this section does not apply in relation to a family allowance payable to an institution under that Act where that allowance—

- (a) was granted (whether before or after the prescribed date) in respect of a person who became an inmate of an institution before the prescribed date;
- (b) has not ceased to be payable since the prescribed date; and
- (c) is payable in respect of a person who is receiving a benefit under Part IVAAA of that Act or a rehabilitation allowance under Part VIII of that Act, being a person who—
  - (i) was granted a benefit under Part IVAAA of that Act (whether before or after the prescribed date) pursuant to a claim lodged before the prescribed date; and
  - (ii) has not ceased to be eligible to receive a benefit under Part IVAAA of that Act (otherwise than by virtue of sub-section 135B (3) of that Act) since the prescribed date.

(4) Where a woman is not qualified to receive widow's pension under Part IV of the *Social Security Act 1947* as a class A widow by virtue of the operation, in relation to a person who has been granted a benefit under Part IVAAA of that Act or who is receiving a rehabilitation allowance under Part VIII of that Act, of the sub-section 6A (1) that is inserted in that Act by sub-section (1) of this section, section 60 of that Act applies in relation to that widow as if she does not have the custody, care and control of that person.

(5) In sub-sections (2) and (3) "prescribed date" means 1 November 1982 or the day on which the *Social Security Legislation Amendment Act 1982* received the Royal Assent, whichever is the later.

### **Officers to observe secrecy**

28. Section 17 of the Principal Act is amended by omitting from sub-section (1) "the prescribed form" and substituting "a form approved for the purpose by the Minister or the Director-General".

### **Interpretation**

29. Section 18 of the Principal Act is amended by inserting after paragraph (d) of the definition of "income" the following paragraph:

“(da) in the case of a person who pays or who is liable to pay rent, a payment by way of rent subsidy made by the Commonwealth, by a State or Territory or by an authority of the Commonwealth or of a State or Territory to or on behalf of the person who pays or who is liable to pay rent;”.

**Interpretation**

**30.** Section 18 of the Principal Act is amended—

- (a) by omitting “or VIIA” from paragraph (e) of the definition of “income” and substituting “, VIIA or VIII”; and
- (b) by omitting paragraph (eaa) of the definition of “income”.

**Interpretation**

**31.** Section 18 of the Principal Act is amended by omitting “or VIII” from paragraph (e) of the definition of “income” and substituting “, VIIB or VIII”.

**Student children over the age of 16 years**

**32.** Section 18A of the Principal Act is amended by adding at the end thereof the following sub-section:

“(2) For the purposes of sub-section (1), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under this Part, shall be taken to be in receipt of an invalid pension under this Part.”.

**33.** After section 25 of the Principal Act the following section is inserted:

**Incentive allowance**

“26. (1) Where—

- (a) a person is receiving an invalid pension; and
- (b) the person is undertaking training at an activity therapy centre or an adult training centre,

the person is eligible to receive, during any period during which he continues to receive that pension and undertake that training, in addition to that pension, an incentive allowance at the prescribed rate per week.

“(2) An allowance under this section is payable from a date (being a pension pay day) determined by the Director-General, which may be a date before the date of the determination.

“(3) Where a person ceases to be eligible to receive an allowance under this section, that allowance ceases to be payable to the person after the pension pay day preceding the day on which the person ceased to be so eligible.

“(4) A payment under this section is not income for the purposes of this Act.

“(5) In sub-section (1)—

‘activity therapy centre’ means premises provided by an organization that is an eligible organization for the purposes of the *Handicapped Persons Assistance Act 1974*, being premises at which that organization provides therapy that is approved activity therapy for the purposes of that Act;

‘adult training centre’ means premises provided by an organization that is an eligible organization for the purposes of the *Handicapped Persons Assistance Act 1974*, being premises at which that organization provides training that is approved training for the purposes of that Act;

‘prescribed rate’ means the rate per week for the time being applicable under section 133JA.”.

#### **Examination by medical practitioner**

34. Section 27 of the Principal Act is amended by omitting from sub-section (1) “legally qualified” (wherever occurring).

#### **Rate of age or invalid pension**

35. Section 28 of the Principal Act is amended by omitting from paragraph (1C) (a) “paragraph (a) in the second column of the table in sub-section 85 (1), or under sub-section 94 (2), of”.

#### **Rate of age or invalid pension**

36. Section 28 of the Principal Act is amended—

- (a) by omitting from paragraph (1EA) (a) “\$897” and substituting “\$1,300”;
- (b) by omitting from paragraph (2) (a) “\$1,040” and substituting “\$1,560”;
- (c) by omitting from paragraph (2) (b) “\$897” and substituting “\$1,300”;
- (d) by omitting from sub-paragraph (3) (b) (i) “\$897” and substituting “\$1,300”; and
- (e) by omitting from sub-paragraph (3) (b) (ii) “\$1,417” and substituting “\$1,820”.

#### **Rate of age or invalid pension**

37. Section 28 of the Principal Act is amended by inserting after sub-paragraph (1A) (a) (ii) the following sub-paragraph:

“(iia) a rehabilitation allowance under Part VIII;”.

#### **Variation of maximum rates of age and invalid pensions**

38. Section 28A of the Principal Act is amended by omitting “6 State” from the definition of “index number” in sub-section (1) and substituting “8”.

#### **Supplementary assistance**

39. Section 30A of the Principal Act is amended by omitting from paragraph (3A) (b) “\$416” and substituting “\$520”.

**Supplementary assistance**

**40.** Section 30A of the Principal Act is amended—

- (a) by omitting from sub-section (3) “There” and substituting “Subject to sub-sections (3AA) and (3AB), there”; and
- (b) by inserting after sub-section (3) the following sub-sections:

“(3AA) An allowance under this section is not payable to a person during any period during which the person is eligible to be paid an incentive allowance under section 26.

“(3AB) An allowance under this section is not payable to the wife or husband, being a wife or husband who is living with the person in their matrimonial home, of a person during any period during which the person is eligible to be paid an incentive allowance under section 26.”.

**Supplementary assistance**

**41.** Section 30A of the Principal Act is amended—

- (a) by omitting “or” from sub-paragraph (3C) (b) (iii); and
- (b) by adding at the end of paragraph (3C) (b) the following word and sub-paragraph:

“; or (v) a rehabilitation allowance under Part VIII the amount of which is calculated by reference to an allowance under this section or supplementary allowance under section 112A,”.

**Wife’s pension**

**42.** Section 31 of the Principal Act is amended—

- (a) by omitting sub-section (1) and substituting the following sub-section:

“(1) Subject to this Part, a woman (not being an age pensioner, an invalid pensioner or a service pensioner under the *Repatriation Act 1920*) who is the wife of—

- (a) an age pensioner or an invalid pensioner; or
- (b) a man who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension,

and who is residing in, and is physically present in, Australia on the date on which she lodges a claim for pension is qualified to receive a wife’s pension.”; and

- (b) by inserting after sub-section (2) the following sub-section:

“(2A) A wife’s pension is not payable to a wife who is receiving a rehabilitation allowance under Part VIII.”.

**Rate of wife’s pension**

**43.** Section 32 of the Principal Act is amended by omitting from sub-section (2) “\$897” and substituting “\$1,300”.

**Repeal of section 42**

44. Section 42 of the Principal Act is repealed.

**Receipt of income or occurrence of an event to be notified**

45. Section 45 of the Principal Act is amended—

- (a) by omitting from sub-section (1) "\$20" and substituting "\$30"; and
- (b) by omitting from sub-section (2) "\$34.50" and substituting "\$50".

**Student children over the age of 16 years**

46. Section 59A of the Principal Act is amended by adding at the end thereof the following sub-section:

"(2) For the purposes of sub-section (1), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III."

47. After section 61A of the Principal Act the following section is inserted:

**Qualification of certain widows**

"61B. (1) Subject to this Act, a widow referred to in paragraph 60 (1) (a), (b) or (c) is qualified to receive a widow's pension if—

- (a) she became a widow by reason of the death of a man;
- (b) she was, immediately before the death of that man, receiving—
  - (i) a wife's pension under Part III by reason of that man being a person referred to in sub-section 31 (1) or (1A); or
  - (ii) a service pension under the *Repatriation Act* 1920 by reason of that man being in receipt of a service pension under that Act; and
- (c) she was not physically present in Australia at the time of the death of that man.

"(2) Where—

- (a) a person becomes qualified to receive widow's pension as a class C widow;
- (b) but for sub-section (1), the person would not have become so qualified; and
- (c) before the expiration of the period during which widow's pension is payable to her as a class C widow, she becomes a class A widow or a class B widow,

the person is qualified to receive widow's pension as a class A widow or as a class B widow, as the case may be."

**Rate of widow's pension**

48. Section 63 of the Principal Act is amended by omitting from paragraph (1C) (a) "paragraph (a) in the second column of the table in sub-section 85 (1), or under sub-section 94 (2), of".

**Rate of widow's pension**

49. Section 63 of the Principal Act is amended by omitting from sub-section (2) "\$1,040" and substituting "\$1,560".

**Supplementary assistance**

50. Section 65A of the Principal Act is amended by omitting from paragraph (2A) (b) "\$416" and substituting "\$520".

**Repeal of section 71**

51. Section 71 of the Principal Act is repealed.

**Receipt of income or occurrence of an event to be notified**

52. Section 74 of the Principal Act is amended by omitting from sub-section (1) "\$20" and substituting "\$30".

**Student children over the age of 16 years**

53. Section 83AAB of the Principal Act is amended by adding at the end thereof the following sub-section:

"(2) For the purposes of sub-section (1), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III."

**Rate of benefit**

54. Section 83AAE of the Principal Act is amended by adding at the end thereof the following sub-section:

"(2) For the purposes of calculating under sub-section (1) the rate of a pension that would be payable under Part IV to a supporting parent if the supporting parent were a class A widow for the purposes of that Part—

- (a) no regard shall be had to paragraph 64 (d); and
- (b) the income of the supporting parent for the purposes of that Part shall be taken to include so much of any amount received by the supporting parent for the maintenance of a child from the father or mother of the child as exceeds the rate of \$312 per annum."

**Grant of new pension to pensioner outside Australia**

55. Section 83AF of the Principal Act is amended—

- (a) by omitting from sub-section (1) "Where a person who is in receipt of a pension by virtue of this Part or of section 92 of the *Repatriation Act* 1920–1973 would, if that pension were cancelled, be eligible, if he were

residing in Australia” and substituting “Where a person who is outside Australia and who is in receipt of a pension or is in receipt of a service pension under the *Repatriation Act* 1920 would, if that pension were cancelled, be eligible, if he were residing in and physically present in Australia”; and

- (b) by inserting “and physically present in” before “Australia” (last occurring).

### **Manner of payment of pension**

**56.** Section 83AG of the Principal Act is amended by omitting “by virtue of this Part” and substituting “to a person who is outside Australia”.

### **Interpretation**

**57.** Section 83A of the Principal Act is amended—

- (a) by omitting from sub-section (1) the definition “pensioner” and substituting the following definition:

“ ‘pensioner’ means a person—

- (a) to whom or in respect of whom there is being paid an age or invalid pension under Part III, a pension under Part IV or a benefit under Part IVAAA;
- (b) who would be eligible to receive a pension or benefit of the kind referred to in paragraph (a) if the person were not a person to whom or in respect of whom there is being paid a sheltered employment allowance under Part VIIA or an allowance is payable under the *Tuberculosis Act* 1948; or
- (c) who is receiving a rehabilitation allowance under Part VIII and who, immediately before becoming eligible to receive that allowance, was eligible to receive a pension or benefit of the kind referred to in paragraph (a) or a sheltered employment allowance under Part VIIA,

other than a person who is a prescribed person within the meaning of section 83CA.”; and

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

“(3) For the purposes of the definition of ‘deceased child’ in sub-section (1), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

### **Other funeral benefits**

**58.** Section 83C of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-sections:

“(1) Subject to this Part, there is payable, in respect of the funeral of a prescribed deceased pensioner, a funeral benefit of \$20.

“(1A) In sub-section (1), ‘prescribed deceased pensioner’ means a deceased pensioner, not being a person who—

- (a) was, at the time of his death, receiving a pension under Part IV or a benefit under Part IVAAA;
- (b) would, but for his death, have been eligible to receive a pension or benefit of the kind referred to in paragraph (a); or
- (c) was, at the time of his death, receiving a rehabilitation allowance under Part VIII, being a person who was, immediately before he became eligible to receive that allowance, eligible to receive a pension under Part IV or a benefit under Part IVAAA.”.

**Prescribed persons**

**59.** Section 83CA of the Principal Act is amended—

- (a) by omitting from sub-section (2) “sub-sections (3) and (4)” and substituting “sub-section (3)”;
- (b) by omitting paragraph (2) (b);
- (c) by omitting from paragraph (2) (c) “\$2,080” and substituting “\$2,808”;
- (d) by omitting paragraph (2) (d) and substituting the following paragraph:

“(d) in the case of a married person—\$2,340.”;
- (e) by omitting from paragraph (3) (a) “\$572” and substituting “\$1,040”;
- (f) by omitting from paragraph (3) (b) “\$416” and substituting “\$520”;
- (g) by omitting sub-section (4); and
- (h) by omitting from sub-section (4A) “sub-sections (3) and (4)” and substituting “sub-section (3)”.

**Prescribed persons**

**60.** Section 83CA of the Principal Act is amended by inserting in paragraph (2) (a) “or to whom an incentive allowance is payable under section 26” after “Part VIIA”.

**Prescribed persons**

**61.** Section 83CA of the Principal Act is amended—

- (a) by inserting after paragraph (2) (a) the following paragraph:

“(b) in the case of an unmarried person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive a sheltered employment allowance under Part VIIA or an incentive allowance under section 26—\$3,536 per annum;”, and
- (b) by adding at the end thereof the following sub-section:

“(7) For the purposes of the definition of ‘child’ in sub-section (6), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that

allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

62. After Part IVA of the Principal Act the following Part is inserted:

**“PART V—FAMILY INCOME SUPPLEMENT**

**Interpretation**

“84. (1) In this Part, unless the contrary intention appears—

‘allowable income’, in relation to any period of 4 weeks, means 4 times or, if another number of times is prescribed under the *Health Insurance Act 1973* for the purposes of the definition of ‘allowable income’ in sub-section 5B (12) of that Act, that other number of times, the aggregate of the amounts referred to in sub-paragraphs (a) (i) and (ii) of that definition;

‘allowance’ means the allowance referred to in sub-section 85 (1) as family income supplement;

‘allowance pay day’ means a day on which payments of allowances are to be made in pursuance of a determination of the Director-General under sub-section 88 (3);

‘allowance period’ means a period during which an allowance is payable in accordance with sub-section 88 (4);

‘child’ means—

(a) a person who has not attained the age of 16 years; or

(b) a person who—

(i) has attained the age of 16 years but has not attained the age of 25 years; and

(ii) is receiving full-time education at a school, college or university;

‘eligible child’ means a child other than a child to whom or in respect of whom there is being paid a pension, benefit or allowance, being a pension, benefit or allowance—

(a) that is payable under a law of the Commonwealth or under a scheme administered by the Commonwealth; and

(b) that would not be payable, or that would be payable at a lower rate, if the income of the child or of another person or persons were higher,

not being an allowance or benefit in respect of which a notice under sub-section (4) is in force.

‘income’ has the same meaning as it has in Part VII, and includes a pension, benefit or allowance in respect of which a notice under sub-section 85 (4) is in force, but does not include a payment of allowance under this Part;

‘married person’, ‘spouse’ and ‘unmarried person’ have the same respective meanings as they have in Part VII.

“(2) Where the weekly rate of income referred to in sub-paragraph (a) (i) of the definition of ‘allowable income’ in sub-section 5B (12) of the *Health Insurance Act 1973* includes a number of cents, the amount of that weekly rate shall, for the purposes of the application of that definition for the purposes of this Part, be increased by an amount equal to the amount by which that number of cents is less than \$1.

“(3) A reference in this Part other than a reference in section 93 to the income of a person shall, if the person is a married person, be read as a reference to the sum of the income of that person and the income of the spouse of that person (not being a spouse who is permanently living apart from the person).

“(4) The Minister may, by notice published in the *Gazette*, declare that a pension, benefit or allowance specified in the notice is not a pension, benefit or allowance to which the definition of ‘eligible child’ in sub-section (1) applies.

### **Persons who are eligible to receive allowance**

“85. (1) Subject to this Part, a person—

(a) who is not receiving—

(i) a pension, benefit or allowance under this Act (other than a pension, benefit or allowance under Part IVA, VI, VIA, VIB or VIIB);

(ii) any other pension, benefit or allowance under a law of the Commonwealth or under a scheme administered by the Commonwealth that provides for a payment in addition to that pension, benefit or allowance, as the case may be, in respect of a child of the person (not being a pension, benefit or allowance in respect of which a notice under sub-section (4) is in force); or

(iii) a pension, benefit or allowance (not being a pension, benefit or allowance in respect of which a notice under sub-section (4) is in force) under the law of a country other than Australia, being a pension, benefit or allowance that is, in the opinion of the Director-General, similar in character to a pension, benefit or allowance referred to in sub-paragraph (i) or (ii);

(b) in the case of a married person—

(i) whose spouse is not receiving such a pension, benefit or allowance; and

(ii) who is qualified to receive, or whose spouse is qualified to receive, family allowance under Part VI in respect of an eligible child; and

(c) in the case of an unmarried person—who is qualified to receive family allowance under Part VI in respect of an eligible child,

is eligible to receive an allowance, to be known as family income supplement, under this Part in respect of that child if the person and that child are persons to whom sub-section (2) applies.

“(2) This sub-section applies to a person in relation to an allowance if—

- (a) the person was physically present in Australia on the day on which the claim for the allowance was lodged; and
- (b) the person is—
  - (i) an Australian citizen;
  - (ii) a person who has been granted, or who is included in, an entry permit under the *Migration Act* 1958, being an entry permit that is in force, other than an entry permit that is a temporary entry permit within the meaning of that Act; or
  - (iii) a person to whom Division 1 of Part II of the *Migration Act* 1958 does not apply by virtue of the operation of sub-section 8 (1) of that Act, being a person who the Director-General is satisfied is likely to remain permanently in Australia.

“(3) A reference in sub-section (1) to the spouse of a person shall be read as not including a reference to a spouse who is permanently living apart from the person.

“(4) The Minister may, by notice published in the *Gazette*, declare that a pension, benefit or allowance specified in the notice, being a pension, benefit or allowance under a law of the Commonwealth, under a scheme administered by the Commonwealth or under a law of a country other than Australia, is not a pension, benefit or allowance to which sub-paragraph (1) (a) (ii) or (iii) applies.

“(5) Where an allowance is payable to a person and the person ceases to be a person who is eligible for an allowance, the allowance ceases to be payable to the person in respect of any period after the allowance pay day preceding the day on which the person ceased to be so eligible.

“(6) Where—

- (a) an allowance is payable to a person in respect of an eligible child; and
- (b) the child ceases to be an eligible child,

the allowance ceases to be payable to the person in respect of that child in respect of any period after the allowance pay day preceding the day on which the child ceased to be an eligible child.

### **Rate of allowance**

“86. (1) Subject to this Part, the rate of an allowance payable to a person who is eligible to receive an allowance in respect of a child is the prescribed amount per week in respect of that child.

“(2) In sub-section (1), ‘prescribed amount per week’, in relation to a child, means the amount per week for the time being applicable under sub-section 112 (5).

“(3) Where—

- (a) a person who has lodged a claim for an allowance is eligible to receive an allowance; and

- (b) the Director-General is satisfied that the income of the person during—
- (i) in a case where the person was not receiving an allowance immediately before the claim was lodged—the period of 4 weeks ending on the day on which the claim was lodged; and
  - (ii) in any other case—the period of 4 weeks commencing 8 weeks before the day on which the claim was lodged,

exceeds the amount of the allowable income in relation to that period of 4 weeks,

the total rate per week of the allowance that is payable to the person during the allowance period is the maximum total rate per week of the allowance that could be payable to the person reduced by one-half of the amount by which an amount equal to 25% of the income of the person during that period of 4 weeks exceeds an amount equal to 25% of the amount of the allowable income in relation to that period of 4 weeks.

“(4) Where—

- (a) a person is receiving an allowance; and
- (b) at any time during the allowance period, the Director-General is satisfied that the income of the person during any period of 4 weeks that ends on a day within the allowance period, being a period of 4 weeks that ended within one month of that time, was not less than 125%, or, if another percentage is prescribed under the *Health Insurance Act 1973* for the purposes of sub-section 5C (1) of that Act, that other percentage—
  - (i) of the amount of the income of the person that was last taken into account for the purposes of determining the total rate per week of allowance payable to the person during that allowance period; and
  - (ii) of the amount of the allowable income in relation to that period of 4 weeks,

the Director-General shall determine in writing that the total rate per week of the allowance payable to the person during the remainder of the allowance period is the maximum total rate per week of the allowance that could be payable to the person reduced by one-half of the amount by which an amount equal to 25% of the income of the person during that period of 4 weeks exceeds an amount equal to 25% of the amount of the allowable income in relation to that period of 4 weeks.

“(5) A determination under sub-section (4) takes effect on the day on which it was made or on such later day as is specified in the determination.

“(6) The total rate per week of an allowance payable to a person shall not be reduced during an allowance period by reason of the income of the person otherwise than in accordance with sub-section (4).

“(7) Where the total rate per week of an allowance payable to a person as calculated in accordance with this section would include 0.5 cent, that total rate per week shall be increased by 0.5 cent.

“(8) Where—

- (a) an amount per week of an allowance is payable to a person; and
  - (b) that amount would, but for this sub-section, be less than 50 cents,
- the amount per week of the allowance payable to that person is 50 cents.

### **Claim for allowance**

“87. (1) A claim for an allowance shall be made in writing in accordance with a form approved by the Director-General and shall be lodged at an office of the Department or at a place, or with a person, approved for the purpose by the Director-General.

“(2) Where—

- (a) an allowance is payable to a person; and
- (b) the person makes another claim for an allowance during the allowance period,

that other claim shall be taken, for the purposes of the provisions of this Part other than sub-section 85 (2), to be lodged on the day after the last day of the allowance period.

“(3) Where a person who was, on 1 May 1983, eligible to receive an allowance, makes a claim for an allowance before 1 August 1983, the Director-General may determine that that claim shall be taken, for the purposes of the provisions of this Part other than sub-section 85 (2), to have been lodged on 1 May 1983.

### **Payment of allowance**

“88. (1) An allowance shall be paid in such manner as the Director-General determines and, subject to sub-section (2), shall be paid to the person to whom the allowance was granted.

“(2) The Director-General may determine in writing that the whole or a part of the amount of an allowance payable to a person shall be paid to another person on behalf of the first-mentioned person.

“(3) The Director-General shall determine in writing that payments of allowances are to be made on particular days during allowance periods.

“(4) Subject to this Part, where a claim made by a person for an allowance is granted, the allowance shall be paid—

- (a) in a case where the person was entitled to receive an allowance immediately before the claim was lodged—during the period of 6 months commencing on the day on which the claim was lodged; and
  - (b) in any other case—during the period of 6 months commencing on the day on which the claim was lodged or during such shorter period commencing on that day as the Director-General determines,
- and shall commence to be paid—

- (c) if the day on which the claim was lodged is an allowance pay day—on that day; and
- (d) in any other case—on the first allowance pay day after the day on which the claim was lodged.

“(5) Where—

- (a) a person has been paid an allowance during the whole or part of an allowance period; and
- (b) the person lodges another claim for an allowance after the end of that allowance period,

the Director-General may determine that the claim shall be deemed, for the purposes of the provisions of this Part other than sub-section 85 (2), to be lodged on a particular date, which may be a date prior to the date of the determination.

“(6) An allowance is not payable to a person in respect of any period in respect of which the person has received a pension, benefit or allowance to which paragraph 85 (1) (a) applies.

“(7) An allowance is not payable in respect of any period commencing before 1 May 1983.

### **Persons outside Australia**

“89. An allowance is not payable to a person in respect of a child in respect of any period during which the person or the child is outside Australia.

### **Notification and review**

“90. (1) The Director-General may give to a person to whom an allowance is payable a notice personally or by post in a form approved by the Director-General—

- (a) requiring the person to notify the Department, within 14 days after the expiration of any period of 4 weeks that ends on a day within the allowance period, if his income during that period of 4 weeks exceeds an amount specified in the notice; or
- (b) if an event specified in the notice occurs during the allowance period—requiring the person to notify the Department of the occurrence of that event within 14 days of the occurrence of that event.

“(2) The Director-General may give to a person to whom an allowance is payable a notice personally or by post requiring the person to furnish to the Department, within 14 days after the receipt of the notice by the person, a statement, in accordance with a form approved by the Director-General, relating to any matter that might affect the payment to the person of the allowance.

“(3) A person to whom a notice under sub-section (1) or (2) is given who refuses or fails to comply with the notice is guilty of an offence punishable, on conviction, by a fine not exceeding \$100.

**Increase in rate of allowance**

“91. (1) If—

- (a) having regard to a decrease in the income of a person to whom an allowance is payable;
- (b) an increase in the amount of the allowable income in relation to any period of 4 weeks; or
- (c) for any other reason,

the Director-General considers that the total rate of the allowance that is being paid to the person is less than it should be, the Director-General may, in writing, increase the total rate of the allowance accordingly.

“(2) An increase in the rate of an allowance under sub-section (1) takes effect on such day as is determined for the purpose by the Director-General, which may be a day before the date of the determination.

**Cancellation or suspension of allowance**

“92. (1) If—

- (a) by reason of the failure of a person to whom an allowance is payable to comply with section 90; or
- (b) for any other reason,

the Director-General considers that the allowance payable to the person should be cancelled or suspended, the Director-General may, in writing, cancel the allowance or suspend payment of the allowance accordingly.

“(2) A cancellation or suspension of an allowance under sub-section (1) takes effect on such day as is determined for the purpose by the Director-General.

**Sharing of allowance between 2 persons**

“93. (1) Allowance in respect of an allowance period is not payable to 2 persons in respect of the same child except in accordance with this section.

“(2) Where 2 persons are each eligible for an allowance in respect of the same child—

- (a) if the 2 persons are not permanently living apart—the allowance in respect of the child shall be paid to the person who, in the opinion of the Director-General, ordinarily has the higher income; and
- (b) in any other case—the Director-General shall, if both of those persons have claimed an allowance in respect of that child, direct in writing that—
  - (i) the allowance is payable to one of those 2 persons; or
  - (ii) the allowance be shared between those 2 persons in accordance with the direction.

“(3) Where the Director-General makes a direction under paragraph (2) (b), he shall inform the persons to whom the direction relates in writing of the effect of the direction.

“(4) Where the Director-General makes a direction under paragraph (2) (b) that an allowance in respect of a child be shared between 2 persons, the maximum rate of the allowance payable to each of those 2 persons in respect of that child is that proportion of the allowance specified in the direction in relation to that person.”.

#### **Interpretation**

**63.** Section 94 of the Principal Act is amended by omitting sub-section (2) and substituting the following sub-section:

“(2) Where a husband—

- (a) has custody, care and control of a child; and
- (b) is not living permanently apart from his wife,

that child shall, except where a family allowance is not payable to the wife in respect of that child by reason other than that she does not have custody, care and control of that child, be deemed, for the purposes of this Part, to be in the sole custody, care and control of the wife.”.

#### **Interpretation**

**64.** Section 94 of the Principal Act is amended by inserting after sub-section (2A) the following sub-section:

“(2B) For the purposes of sub-section (2A), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

#### **Family allowance**

**65.** Section 95 of the Principal Act is amended—

- (a) by omitting from paragraph (2) (a) “\$15.20” and substituting “\$22.80”; and
- (b) by omitting from paragraph (2) (b) “\$21.70” and substituting “\$32.55”.

#### **Qualification for family allowance**

**66.** Section 96 of the Principal Act is amended—

- (a) by omitting from paragraph (2) (b) “wife” and substituting “spouse”; and
- (b) by omitting from paragraph (2) (b) “the Naval, Military or Air Forces of the Commonwealth” and substituting “the Defence Force”.

#### **Date from which family allowance payable**

**67.** Section 102 of the Principal Act is amended by omitting from sub-section (2) “(other than an institution)”.

**Family allowance to cease in certain circumstances**

**68.** Section 103 of the Principal Act is amended—

- (a) by omitting from paragraphs (1) (a) and (d) “or institution”;
- (b) by omitting from paragraph (1) (b) “other than an institution”;
- (c) by omitting from paragraph (2) (a) “, other than an institution,”;
- (d) by omitting from paragraph (2) (b) “any of the paragraphs of sub-section (1)” and substituting “paragraph (1) (c), (e), (f), (g), (h) or (i)”;
- (e) by omitting from sub-section (2A) “a paragraph, other than paragraph (1) (a) or (b)” and substituting “paragraph (1) (d), (e), (f), (g), (h) or (i)”.

**Payment of family allowance during temporary absence from Australia**

**69.** Section 104 of the Principal Act is amended—

- (a) by omitting sub-section (1) and substituting the following sub-section:
  - “(1) Where—
  - (a) a person is employed by the Commonwealth, by a State or by the Northern Territory, or by an authority of the Commonwealth, of a State or of the Northern Territory, and is temporarily stationed outside Australia;
  - (b) a person is not in Australia and is the spouse of an employee referred to in paragraph (a);
  - (c) a person is not in Australia and is a member of the Defence Force;
  - (d) a person is not in Australia and is the spouse of a member of the Defence Force; or
  - (e) a person whose usual place of residence is in Australia is temporarily absent from Australia,

and that person has the custody, care and control of one or more children, this Part shall have effect as if that person and each of those children were in Australia.”;

- (b) by omitting from sub-section (4) “a woman” and substituting “a person”;
- (c) by omitting from sub-section (4) “she” and substituting “the person”;
- (d) by omitting from sub-section (4) “her” and substituting “the person”;
- and
- (e) by omitting from sub-section (5) “man or woman” (wherever occurring) and substituting “person”.

**Interpretation**

**70.** Section 105H of the Principal Act is amended by omitting from sub-section (1) the definition of “medical practitioner”.

**Interpretation**

71. Section 105H of the Principal Act is amended by adding at the end thereof the following sub-section:

“(4) For the purposes of sub-section (3), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

**Rate of handicapped child’s allowance**

72. Section 105L of the Principal Act is amended by omitting from paragraph (a) “\$73” and substituting “\$85”.

**Daily rate of allowance**

73. Section 105LA of the Principal Act is amended by omitting from sub-section (1) “section 105KA” and substituting “section 105K”.

**Interpretation**

74. Section 106 of the Principal Act is amended by inserting after paragraph (aa) of the definition of “income” in sub-section (1) the following paragraph:

“(ab) in the case of a person who pays or who is liable to pay rent, a payment by way of rent subsidy made by the Commonwealth, by a State or Territory or by an authority of the Commonwealth or of a State or Territory, to or on behalf of the person who pays or who is liable to pay rent;”.

**Interpretation**

75. Section 106 of the Principal Act is amended—

- (a) by omitting “or VIIA” from paragraph (b) of the definition of “income” in sub-section (1) and substituting “, VIIA or VIII”;
- (b) by omitting paragraph (ba) of the definition of “income” in sub-section (1); and
- (c) by inserting after sub-section (1A) the following sub-section:

“(1B) For the purposes of sub-section (1A), a person who is receiving a rehabilitation allowance under Part VIII and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

**Interpretation**

76. Section 106 of the Principal Act is amended by omitting “or VIII” from paragraph (b) of the definition of “income” in sub-section (1) and substituting “, VIIB or VIII”.

**Rate of unemployment and sickness benefit**

77. Section 112 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (a) “\$36” and substituting “\$40”; and
- (b) by omitting from paragraph (1) (b) “\$58.10” and substituting “\$64.40”.

**Rate of unemployment and sickness benefit**

78. Section 112 of the Principal Act is amended—

- (a) by inserting after sub-paragraph (6) (b) (iiia) the following sub-paragraph:
  - “(iiib) who has been taken into account in determining the amount of a rehabilitation allowance under Part VIII;”;
- (b) by omitting from paragraph (7) (b) “or an allowance under Part VIIA” and substituting “, an allowance under Part VIIA or a rehabilitation allowance under Part VIII”.

**Variation of maximum rates of unemployment and sickness benefit**

79. Section 112AA of the Principal Act is amended by omitting “6 State” from the definition of “index number” in sub-section (1) and substituting “8”.

**Supplementary allowance after first 6 weeks of sickness benefit**

80. Section 112A of the Principal Act is amended by omitting from paragraph (3A) (b) “\$8” and substituting “\$10”.

**Supplementary allowance after first 6 weeks of sickness benefit**

81. Section 112A of the Principal Act is amended by inserting after sub-section (3) the following sub-section:

“(3AA) An allowance under this section is not payable to a person if the wife or husband of the person is receiving an incentive allowance under section 26 and is living with the person in their matrimonial home.”.

**Supplementary allowance after first 6 weeks of sickness benefit**

82. Section 112A of the Principal Act is amended—

- (a) by omitting “or” from sub-paragraph (3C) (b) (iii); and
- (b) by adding at the end of paragraph (3C) (b) the following word and sub-paragraph:
  - “; or (v) a rehabilitation allowance under Part VIII the amount of which is calculated by reference to an allowance under this section or supplementary assistance under section 30A,”.

**Income test**

83. Section 114 of the Principal Act is amended—

- (a) by omitting sub-sections (1) and (1A) and substituting the following sub-section:

“(1) Where an unemployment benefit or a sickness benefit is payable to a person whose income exceeds \$10 per week, the rate per week of that benefit shall be reduced—

- (a) where the income of the person does not exceed \$60 per week—by one half of the amount by which that income exceeds \$10 per week; or
- (b) in any other case—by an amount equal to the sum of \$25 and the amount by which that income exceeds \$60 per week.”;
- (b) by omitting from sub-section (1B) “or (1A)”;
- (c) by omitting from sub-section (2) “sub-sections (1) and (1A)” and substituting “sub-section (1)”;
- (d) by omitting from sub-section (3) “For the purposes of sub-section (1A)” and substituting “For the purposes of the application of sub-section (1) in relation to a married person”; and
- (e) by omitting from sub-section (5) “sub-sections (1) and (1A)” and substituting “sub-section (1)”.

### **Interpretation**

**84.** Section 115 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) In this Division, ‘sickness benefit’ includes—

- (a) a supplementary allowance; and
- (b) so much of any amount paid to a person by way of a rehabilitation allowance under Part VIII as, in the opinion of the Director-General, would have been payable to the person by way of sickness benefit in respect of a relevant incapacity (including any supplementary allowance) if that rehabilitation allowance had not become payable to the person.”.

### **Medical certificate to be furnished**

**85.** Section 117 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “legally qualified”; and
- (b) by omitting from sub-section (2) “legally qualified”.

### **Cancellation of sickness benefit in certain circumstances**

**86.** Section 121 of the Principal Act is amended by omitting from paragraphs (a) and (b) “legally qualified”.

### **Special benefit**

**87.** Section 124 of the Principal Act is amended by inserting in paragraph (1) (a) “or a rehabilitation allowance under Part VIII” after “Part VIIA”.

### **Interpretation**

**88. (1)** Section 133C of the Principal Act is amended—

- (a) by omitting “Governor-General” from sub-paragraph (a) (iv) of the definition of “approved organization” in sub-section (1) and substituting “Minister”; and
- (b) by omitting “Governor-General” from paragraph (e) of the definition of “approved organization” in sub-section (1) and substituting “Minister”.

(2) An approval given by the Governor-General before the commencement of this section for the purposes of the definition of “approved organization” in sub-section 133C (1) of the Principal Act shall, after the commencement of this section, be deemed to be an approval given by the Minister for the purposes of that definition in sub-section 133C (1) of the Principal Act as amended by this Act.

### **Incentive allowance**

**89.** Section 133JA of the Principal Act is amended by omitting “\$8” and substituting “\$10”.

**90.** After Part VIIA of the Principal Act the following Part is inserted:

### **“PART VIIB—MOBILITY ALLOWANCE**

#### **Interpretation**

“133RA. In this Part, unless the contrary intention appears—

‘allowance pay day’ means a day on which payments of mobility allowances are to be made in pursuance of a determination of the Director-General under sub-section 133RE (3);

‘handicapped person’ means a person who has a physical or mental disability and who has attained the age of 16 years;

‘sheltered employment’ means paid employment in respect of which a direction under section 133D is in force;

‘vocational training’ includes training for a profession or occupation.

#### **Eligibility for mobility allowance**

“133RB. (1) Subject to this Part, a handicapped person to whom sub-section (2) applies—

- (a) who is, in the opinion of the Director-General, permanently unable, or unable for an extended period, by reason of his physical or mental disability, to use public transport without substantial assistance; and
- (b) who is—
  - (i) engaged in gainful employment (including sheltered employment) and, in the opinion of the Director-General, is so engaged on a continuing basis for not less than 20 hours in each week; or

(ii) undertaking vocational training (other than training provided under Part VIII), being training that, in the opinion of the Director-General—

(A) the person undertakes on a continuing basis for not less than 20 hours in each week; and

(B) will assist the person to find gainful employment (including sheltered employment) or to carry on a profession, trade or business,

is eligible to receive a mobility allowance under this Part.

“(2) This sub-section applies to a person if—

(a) the person is physically present in Australia; and

(b) the person is—

(i) an Australian citizen;

(ii) a person who has been granted, or who is included in, an entry permit under the *Migration Act* 1958, being an entry permit that is in force, other than an entry permit that is a temporary entry permit within the meaning of that Act; or

(iii) a person to whom Division 1 of Part II of the *Migration Act* 1958 does not apply by virtue of the operation of sub-section 8 (1) of that Act, being a person who the Director-General is satisfied is likely to remain permanently in Australia.

“(3) A person is not eligible to receive a mobility allowance during any period during which the person is provided with a motor vehicle under the scheme administered by the Commonwealth known as the gift car scheme.

“(4) Subject to sub-section (5), where a mobility allowance is payable to a person and the person ceases to be eligible to receive a mobility allowance, the mobility allowance ceases to be payable to the person in respect of any period after the first allowance pay day after the day on which the person ceased to be so eligible.

“(5) Subject to this Part, where—

(a) a mobility allowance is payable to a person; and

(b) the person ceases to be eligible to receive a mobility allowance by reason of the person ceasing to be a person referred to in sub-paragraph (1) (b) (i) or (ii),

the mobility allowance shall continue to be paid to the person during the period of 3 months commencing on the first allowance pay day after the day on which the person ceased to be eligible to receive the mobility allowance.

“(6) Where—

(a) a mobility allowance is payable to a person by virtue of sub-section (5); and

(b) the person ceases to be eligible to receive a mobility allowance otherwise than by reason of the person ceasing to be a person referred to in sub-paragraph (1) (b) (i) or (ii),

the mobility allowance ceases to be payable to the person.

**Rate of mobility allowance**

“133RC. The rate of a mobility allowance in respect of a handicapped person is \$10 per week.

**Claims for mobility allowance**

“133RD. A claim for a mobility allowance shall be made in writing in accordance with a form approved by the Director-General and shall be lodged at an office of the Department or at a place, or with a person, approved for the purpose by the Director-General.

**Payment of mobility allowance**

“133RE. (1) A mobility allowance shall be paid in such manner as the Director-General determines and, subject to sub-section (2), shall be paid to the person to whom the mobility allowance was granted.

“(2) The Director-General may determine in writing that the whole or a part of the amount of a mobility allowance payable to a person shall be paid to another person on behalf of the first-mentioned person.

“(3) The Director-General shall determine in writing that payments of mobility allowances are to be made on particular days during any period.

“(4) Subject to sub-section (5), where a mobility allowance is granted, it shall be paid—

- (a) if the day on which the claim was lodged is an allowance pay day—  
from that day; and
- (b) in any other case—from the first allowance pay day occurring after the day on which the claim was lodged.

“(5) Where a person receives the benefit of an exemption under item 135 or 135A of the First Schedule to the *Sales Tax (Exemptions and Classifications) Act 1935* (not being an exemption in respect of parts for a motor vehicle), the person is not eligible to receive a mobility allowance in respect of the period of 2 years commencing on the day on which the person received the benefit of that exemption.

“(6) Mobility allowances are not payable in respect of any period commencing before 1 April 1983.

**Notification and review**

“133RF. (1) The Director-General may give to a person to whom a mobility allowance is payable a notice in a form approved by the Director-General requiring the person to notify the Department, if an event specified in the notice occurs, of the occurrence of that event within 14 days of the occurrence of that event.

“(2) The Director-General may give to a person to whom a mobility allowance is payable a notice personally or by post requiring the person to

furnish to the Department, within 14 days after the receipt of the notice by the person, a statement, in accordance with a form approved by the Director-General, relating to any matter that might affect the payment to the person of the mobility allowance.

“(3) A person to whom a notice under sub-section (1) or (2) is given who refuses or fails to comply with the notice is guilty of an offence punishable, on conviction, by a fine not exceeding \$100.

**Suspension of mobility allowance**

“133RG. (1) If—

- (a) by reason of the failure of a person to whom a mobility allowance is payable to comply with section 133RF; or
- (b) for any other reason,

the Director-General considers that the mobility allowance payable to the person should be suspended, the Director-General may, in writing, suspend the allowance accordingly.

“(2) A suspension of a mobility allowance under sub-section (1) takes effect on such day as is determined in writing for the purpose by the Director-General.”.

**Interpretation**

**91.** Section 134 of the Principal Act is amended—

- (a) by inserting before the definition of “beneficiary” in sub-section (1) the following definition:

“ ‘allowance’ means a sheltered employment allowance under Part VIIA;”;

- (b) by omitting from sub-section (1) the definition of “claimant” and substituting the following definition:

“ ‘claimant’ means—

- (a) in relation to a pension or benefit—a person who has lodged a claim for, and is eligible to receive, that pension or benefit, but is not receiving that pension or benefit; and
- (b) in relation to an allowance—a person who is qualified to receive that allowance but is not receiving that allowance;”;

- (c) by inserting after the definition of “pensioner” in sub-section (1) the following definition:

“ ‘rehabilitation allowance’ means a rehabilitation allowance under this Part;”;

- (d) by inserting after the definition of “training” in sub-section (1) the following definition:

“ ‘training allowance’ means a training allowance under section 135D;”;

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

“(3) For the purposes of sub-section (2), a person who is receiving a rehabilitation allowance and who was, immediately before he became eligible to receive that allowance, eligible to receive an invalid pension under Part III, shall be taken to be in receipt of an invalid pension under Part III.”.

### **Provision of treatment and training**

92. Section 135 of the Principal Act is amended by inserting in sub-paragraph (1) (a) (i) “, persons in receipt of allowances, claimants for allowances” after “pensioners”.

93. Section 135B of the Principal Act is repealed and the following sections are substituted:

### **Persons eligible to be paid rehabilitation allowance**

“135B. (1) Subject to this Part, a person who—

- (a) is eligible to receive treatment or training or both treatment and training; and
- (b) was, at the time (whether before or after the commencement of this section) when he became eligible to receive treatment or training or both treatment and training, as the case may be, a pensioner, a beneficiary, a person in receipt of an allowance or a claimant for a pension, benefit or allowance,

is eligible to be paid a rehabilitation allowance while he is receiving treatment or training or treatment and training.

“(2) A reference in sub-section (1) to treatment shall be read as not including a reference to treatment provided under sub-section 135Q (5).

“(3) In respect of any period during which a person is eligible to be paid a rehabilitation allowance, no other pension, benefit or allowance (including incentive allowance, supplementary assistance or supplementary allowance) under this Act, other than a pension, benefit or allowance in sub-section 135U or under Part IVA, VI, VIA, VIB or VIIB, is payable to the person.

### **Rate of rehabilitation allowance**

“135BA. (1) The amount per fortnight of a rehabilitation allowance payable from time to time to a person is—

- (a) in a case to which paragraph (b) does not apply—
  - (i) in the case of a person who, immediately before the time when he became eligible to receive the rehabilitation allowance, was a pensioner, a beneficiary or a person in receipt of an allowance—the amount (if any) per fortnight that he would have received from time to time (including any amount by way of supplementary assistance, supplementary allowance or incentive allowance) if he had continued to receive payment of

the pension, benefit or allowance that he was receiving immediately before that time; and

- (ii) in the case of a person who, immediately before he became eligible to receive the rehabilitation allowance, was a claimant for a pension, benefit or allowance—the amount (if any) per fortnight that he would have received from time to time (including any amount by way of supplementary assistance, supplementary allowance or incentive allowance) if he were receiving payment of the pension, benefit or allowance for which he was such a claimant; and
- (b) in a case where, if the person (not being a person who was, immediately before he became eligible to receive the rehabilitation allowance, an invalid pensioner for the purposes of Part III) were an invalid pensioner for the purposes of Part III, the sum of the amount (if any) per fortnight of invalid pension and the amount (if any) of supplementary assistance or incentive allowance that would from time to time be payable to the person under that Part is greater than the amount per fortnight calculated in relation to the person under paragraph (a)—the sum of those amounts.

“(2) The amount per fortnight of a rehabilitation allowance payable to a person under sub-section (1) shall not be affected by reason of the person ceasing to be eligible or qualified to receive the pension, benefit or allowance (other than supplementary assistance, supplementary allowance or incentive allowance) that, immediately before the person became eligible to receive the rehabilitation allowance, the person was eligible or qualified to receive or, in the case of a claimant, for which the person was a claimant.

#### **Rehabilitation allowance not payable to person in receipt of service pension or tuberculosis allowance**

“135BB. A rehabilitation allowance is not payable to a person during any period during which—

- (a) a service pension under the *Repatriation Act* 1920 is payable to him or is payable to another person by virtue of that other person being his wife or child; or
- (b) an allowance under section 9 of the *Tuberculosis Act* 1948 is payable to or in respect of him.

#### **Notification and review**

“135BC. (1) The Director-General may give to a person to whom a rehabilitation allowance is payable a notice in a form approved by the Director-General requiring the person to notify the Department, if an event specified in the notice occurs, of the occurrence of that event, within 14 days of the occurrence of that event.

“(2) The Director-General may give to a person to whom a rehabilitation allowance is payable a notice personally or by post requiring the person to furnish to the Department, within 14 days after the receipt of the notice by the

person, a statement in accordance with a form approved by the Director-General relating to any matter that might affect the payment to the person of the rehabilitation allowance.

“(3) A person to whom a notice under sub-section (1) or (2) is given who refuses or fails to comply with the notice is guilty of an offence punishable, on conviction, by a fine not exceeding \$100.

**Suspension of rehabilitation allowance**

“135BD. (1) If—

- (a) by reason of the failure of a person to whom a rehabilitation allowance is payable to comply with section 135BC; or
- (b) for any other reason,

the Director-General considers that the rehabilitation allowance payable to the person should be cancelled or suspended, the Director-General may, in writing, cancel or suspend the allowance accordingly.

“(2) A cancellation or suspension of a rehabilitation allowance under sub-section (1) takes effect on such day as is determined in writing for the purpose by the Director-General.”.

**Fares, living expenses, &c.**

94. Section 135C of the Principal Act is amended by omitting from paragraph (2) (b) “legally qualified”.

**Fares, living expenses, &c.**

95. Section 135C of the Principal Act is amended by omitting sub-section (3).

96. Section 135D of the Principal Act is repealed and the following section is substituted:

**Training allowance**

“135D. (1) Where—

- (a) a person is receiving training (whether or not he is also receiving treatment); and
- (b) the person is receiving a rehabilitation allowance,

the person is eligible to be paid in addition to that rehabilitation allowance, while he continues to receive training, a training allowance under this section.

“(2) The rate of a training allowance under this section is such rate as is determined in writing from time to time by the Director-General.

“(3) The Director-General shall determine—

- (a) different rates of training allowance for the purposes of sub-section (2) in respect of full-time training and part-time training; and
- (b) different rates of training allowance applicable to different classes of persons having regard to their age.

“(4) The rate of a training allowance payable to a person shall not exceed 20% of an amount (in this section referred to as the ‘prescribed amount’) determined in writing from time to time by the Director-General having regard to the amounts calculated with respect to adult males, All Groups, by the Australian Statistician as the amounts of the weighted average minimum weekly rates payable for a full week’s work (excluding overtime), as prescribed in awards, determinations and collective agreements.

“(5) Where the Director-General is satisfied that a person who is receiving training (whether or not the person is also receiving treatment) and who is receiving a rehabilitation allowance is required to live away from his usual place of abode for the purpose of receiving that training, the Director-General may approve payment to the person of a living away from home allowance (in addition to a training allowance) at a rate not exceeding 25% of the prescribed amount.

“(6) The Director-General may approve the payment of a training allowance and a living away from home allowance at a rate or rates determined in accordance with this section to a person who is receiving training (whether or not the person is also receiving treatment) and who is not receiving a rehabilitation allowance.”.

**97.** Section 135G of the Principal Act is repealed and the following section is substituted:

**Payment of rehabilitation allowance and training allowance**

“135G. (1) A rehabilitation allowance or an allowance under section 135D payable to a person shall be paid from a date determined by the Director-General, which may be a date before the date of the determination.

“(2) Subject to this Part, a rehabilitation allowance or an allowance under section 135D shall be paid in such manner, in respect of such periods and at such times as the Director-General from time to time determines.

“(3) Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a part of the amount of a rehabilitation allowance or of an allowance under section 135D should be made to a person on behalf of the person who is eligible to be paid the allowance, the Director-General may authorize payment accordingly.”.

**Completion of treatment and training**

**98.** Section 135Q of the Principal Act is amended by inserting after sub-section (1) the following sub-sections:

“(2) Subject to sub-section (3), where a person is receiving a rehabilitation allowance and—

- (a) if the person was receiving treatment and training—that treatment and training is discontinued;
- (b) if the person was receiving treatment—that treatment is discontinued and the person is not eligible to receive training; or

- (c) if the person was receiving training—that training is discontinued and the person is not eligible to receive treatment,

the rehabilitation allowance ceases to be payable to the person in respect of any period after the first pension pay day after that treatment and training or treatment or training, as the case may be, is discontinued.

“(3) Where—

- (a) but for this sub-section, a rehabilitation allowance would cease to be payable to a person under sub-section (2) at a particular time; and
- (b) the person is unable to obtain paid employment or to commence to carry on a profession, trade or business, whether on his own account or as a member of a partnership,

the person is, subject to section 135BD, eligible to continue to be paid a rehabilitation allowance until he commences to engage in paid employment or to carry on a profession, trade or business, whether on his own account or as a member of a partnership, or until a period of 6 months commencing at that time expires, whichever first occurs.”.

#### **Recovery of costs of treatment and training**

**99.** Section 135R of the Principal Act is amended—

- (a) by inserting “(not being an amount by way of rehabilitation allowance under this Part)” after “training” (last occurring) in the definition of “cost” in sub-section (1);
- (b) by omitting “and” from paragraph (a) of the definition of “cost” in sub-section (1); and
- (c) by adding at the end of the definition of “cost” in sub-section (1) the following word and paragraph:

“; and (c) any amount payable to that person under sub-section 48 (3) or 49C (3) of the *Defence (Re-establishment) Act 1965*.”.

#### **Arrangements for treatment, &c., for other persons**

**100.** Section 135S of the Principal Act is amended by inserting in sub-section (3) “135BA, 135BB, 135BC, 135BD,” after “135B,”.

#### **Provision of vocational training for certain widows**

**101.** Section 135T of the Principal Act is amended by omitting from sub-section (13) “and 135B” and substituting “135B, 135BA, 135BB, 135BC and 135BD,”.

#### **On death of married person, widow or widower to receive combined pensions for 12 weeks**

**102.** Section 135U of the Principal Act is amended—

- (a) by omitting from paragraph (2) (b) “or sub-section 135D (1),”;

- (b) by omitting from sub-section (2) “or of a training allowance under section 135D” and substituting “or of a rehabilitation allowance under Part VIII”;
- (c) by omitting from sub-section (3) “sub-section 135D (1)” and substituting “sub-section 135B (3)”; and
- (d) by omitting from sub-section (5) “or the training allowance under section 135D” and substituting “or the rehabilitation allowance under Part VIII”.

**Payment into account with bank, credit union or building society**

**103.** Section 135W of the Principal Act is amended by omitting from sub-section (7) the definition of “pension” and substituting the following definition:

“ ‘pension’ means a pension, benefit or allowance under Part III, IV, IVAAA, V, VIIA, VIIB or VIII;”.

**Recovery of over-payments**

**104.** Section 140 of the Principal Act is amended—

- (a) by omitting from sub-section (2) “of this section”; and
- (b) by adding at the end thereof the following sub-section:

“(5) Where an amount of mobility allowance has been paid to a person under Part VIIB and that amount is recoverable from the person, the Director-General may, on behalf of the Commonwealth, by notice in writing given to the person, waive the right of the Commonwealth to recover that amount or such part of that amount as is specified in the notice.”.

**Application**

**105. (1)** The amendments made by sections 36, 39, 43, 49, 50, 77, 80, 83 and 89 apply, insofar as they affect instalments of pension, benefit or allowance or payments of benefit or allowance under the *Social Security Act 1947*, in relation to each instalment of pension, benefit or allowance or each payment of benefit or allowance, as the case may be, that falls due on or after 1 November 1982.

**(2)** The amendment made by sections 33, 40 and 81 apply, insofar as they affect instalments of pension or payments of benefit under the *Social Security Act 1947*, in relation to each instalment of pension or each payment of benefit, as the case may be, that falls due on or after 1 February 1983.

**(3)** The amendment made by section 47, insofar as it affects the granting of any widow’s pension under Part IV of the *Social Security Act 1947*, applies in relation to each claim for a widow’s pension lodged on or after 1 November 1982 in respect of the death of a man that occurred on or after that date.

**(4)** The amendment made by section 54, insofar as it affects instalments of supporting parent’s benefit under Part IVAAA of the *Social Security Act 1947*,

applies in relation to each instalment of benefit that falls due on or after 1 February 1983.

(5) The amendments made by section 65 apply in relation to payments of family allowance under Part VI of the *Social Security Act 1947* in respect of the family allowance period commencing on 15 October 1982 and to all subsequent payments of family allowance.

(6) The amendment made by section 72, insofar as it affects payments of handicapped child's allowance under Part VIB of the *Social Security Act 1947*, applies in relation to each payment of that allowance that is payable in respect of the family allowance period commencing on 15 October 1982 and to all subsequent payments.

### **Transitional and savings**

**106. (1)** A person who was, immediately before 1 March 1983, receiving an allowance (in this sub-section referred to as the "relevant allowance") under section 135D of the Principal Act by virtue of a direction given by the Director-General under sub-section 135D (6) of that Act is entitled, during any period during which—

- (a) he continues to receive training under Part VIII of the Principal Act as amended by this Act; and
- (b) he is not receiving a rehabilitation allowance under that Part of that Act as so amended,

to continue to receive the relevant allowance.

(2) Subject to sub-section 22 (3) of the *Social Services Amendment Act 1981*, where—

- (a) a person to whom sub-section 22 (2) of that Act applies becomes eligible to receive an incentive allowance under section 26 of the *Social Security Act 1947*; and
- (b) the person later ceases to be eligible to receive that incentive allowance,

sub-section 22 (2) of that first-mentioned Act applies in relation to the person on and after the day on which the person ceases to be eligible for that incentive allowance.

## **PART VII—AMENDMENT OF THE SOCIAL SERVICES AMENDMENT ACT 1981**

### **Principal Act**

**107.** The *Social Services Amendment Act 1981*<sup>6</sup> is in this Part referred to as the Principal Act.

### **Application**

**108.** Section 22 of the Principal Act is amended by omitting from paragraph (2) (c) "or applies,".

**PART VIII—AMENDMENTS OF THE SOCIAL SERVICES  
AMENDMENT ACT 1979**

**Principal Act**

**109.** The *Social Services Amendment Act 1979*<sup>7</sup> is in this Part referred to as the Principal Act.

**Amendments of section 39 of Principal Act**

**110.** Section 39 of the Principal Act is amended—

- (a) by omitting from sub-section (2) “The Division” and substituting “Subject to sub-section (2A), the Division”; and
- (b) by inserting after sub-section (2) the following sub-section:

“(2A) Where—

- (a) a payment by way of compensation was made to a person before the commencement of this section in respect of an incapacity of the person; and
- (b) a sickness benefit in respect of that incapacity becomes payable to the person after the commencement of this section,

the Division set out in sub-section (1) applies to, and in relation to, that payment by way of compensation.”.

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*Social Security Legislation Amendment No. 98, 1982*

**NOTES**

1. No. 81, 1954, as amended. For previous amendments, see No. 47, 1957; No. 83, 1967; No. 68, 1969; No. 84, 1972; Nos. 128 and 216, 1973; No. 115, 1974; No. 91, 1976; No. 157, 1980; and No. 61, 1981.
2. No. 48, 1971, as amended. For previous amendments, see No. 136, 1971; No. 122, 1972; Nos. 105 and 216, 1973; No. 92, 1974; Nos. 157 and 166, 1976; No. 68, 1978; Nos. 111 and 155, 1979; and No. 74, 1981.
3. No. 54, 1965, as amended. For previous amendments, see No. 93, 1966; No. 89, 1967; No. 10, 1968; Nos. 101 and 216, 1973; No. 96, 1975; No. 155, 1979; No. 70, 1980; and No. 61, 1981.
4. No. 5, 1970, as amended. For previous amendments, see No. 113, 1972; No. 129, 1973; No. 216, 1973; No. 108, 1974; No. 91, 1976; and No. 116, 1980.
5. No. 26, 1947, as amended. For previous amendments, see 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; No. 44, 1958; No. 57, 1959; No. 45, 1960; No. 45, 1961; Nos. 1 and 95, 1962; No. 46, 1963; Nos. 3 and 63, 1964; Nos. 57 and 152, 1965; No. 41, 1966; Nos. 10 and 61, 1967; No. 65, 1968; No. 94, 1969; Nos. 2 and 59, 1970; Nos. 16 and 67, 1971; Nos. 1, 14, 53 and 79, 1972; Nos. 1, 26, 48 and 103, 1973; No. 216, 1973; Nos. 2, 23 and 91, 1974; Nos. 34, 56, 101 and 110, 1975; Nos. 26, 62 and 111, 1976; No. 159, 1977; No. 128, 1978; No. 121, 1979 (as amended by No. 37, 1982); No. 130, 1980; Nos. 61, 159 and 170, 1981; and No. 37, 1982.
6. No. 159, 1981.
7. No. 121, 1979, as amended. For previous amendments, see No. 37, 1982.