

MATERNITY ALLOWANCE.

No. 8 of 1912.

An Act to provide for Payment of Maternity Allowances.

[Assented to 10th October, 1912.]

reamble.

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives as follows :—

Short title.

1. This Act may be cited as the *Maternity Allowance Act* 1912.

Commencement.

2. This Act shall commence on a day to be fixed by proclamation

Administration.

3.—(1.) There shall be a Commissioner of Maternity Allowances, who shall, subject to the control of the Minister, be charged with the execution of this Act.

(2.) An Assistant Commissioner and Deputy Commissioners may be appointed, who shall have such powers and functions as are assigned to them by the Commissioner or are prescribed by the regulations.

(3.) Every assignment of any power or function by the Commissioner under this section shall be revocable at will, and no such assignment shall prevent the exercise by the Commissioner of any power or function.

Grant of
maternity
allowance.

4. Subject to this Act, there shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, a maternity allowance of Five pounds to every woman who, after the commencement of this Act, gives birth to a child, either in Australia or on board a ship proceeding from one port in the Commonwealth or a Territory of the Commonwealth to another port in the Commonwealth or a Territory of the Commonwealth.

Cases in which
allowance
payable.

5.—(1.) A maternity allowance shall be payable in respect of each occasion on which a birth occurs, and the child is born alive, or is a viable child, but only one allowance shall be payable in cases where more than one child is born at one birth.

(2.) Where the child is not born alive, or dies within twelve hours after birth, a medical certificate must be furnished certifying that the child was a viable child.

(3.) Where the Commissioner is satisfied that no medical practitioner was available to attend the case, and he is satisfied by evidence that the child born was born alive, or was a viable child, he may dispense with any medical certificates required by this section.

6.—(1.) The maternity allowance shall be payable only to women who are inhabitants of the Commonwealth or who intend to settle therein. Who may be claimants.

(2.) Women who are Asiatics, or are aboriginal natives of Australia, Papua, or the islands of the Pacific, shall not be paid a maternity allowance.

7. A maternity allowance shall not be paid in respect of any birth unless a claim for payment of the allowance has been made to the proper officer within three months after the date of the birth. Time within which claims to be made.

8.—(1.) Notwithstanding anything contained in the *Audit Act* 1901–1909 or any other Act, payment of a maternity allowance may be made by forwarding by post a money order to the person to whom the payment is to be made or to a person appointed by her in writing to receive it, and in either case it shall not be necessary for the claimant or other person to send a receipt for the payment to the Commissioner. Method of payment.

(2.) Where payment of a maternity allowance has been made in the manner provided by sub-section (1.) of this section the Commonwealth shall not be liable to any action claim or demand for any further payment in respect of the allowance.

9. In the case of the death of the mother the Commissioner may pay any sum payable to her by way of maternity allowance to the person who, in his opinion, is best entitled to receive it. To whom payable on death of mother.

10. Any person who—

- (a) obtains any maternity allowance which is not payable ;
- (b) obtains payment of any maternity allowance by means of any false or misleading statement ; or
- (c) makes or presents to the Commissioner or to any officer doing duty in relation to this Act or the regulations, any statement or document which is false in any particular,

shall be guilty of an offence.

Penalty : One hundred pounds or imprisonment for one year.

11. Any person who aids, abets, counsels, or procures the commission of any offence against this Act, or who, by act or omission, is in any way directly or indirectly knowingly concerned in the commission of any offence against this Act, shall be deemed to have committed that offence and shall be punishable accordingly. Aiding and abetting offences.

Regulations.

12. 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 are necessary or convenient to be prescribed for carrying out or giving effect to this Act and in particular for prescribing—

- (a) the powers and duties of the Commissioner and other officers ; and
 - (b) the procedure to be followed for the purpose of obtaining maternity allowances.
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