

STATUTORY RULES.

1920. No. 199.

REGULATION UNDER THE DEFENCE ACT 1903-1918.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following regulation under the *Defence Act 1903-1918* to come into operation as from 11th November, 1918.

Dated this twenty-first day of October, 1920.

FORSTER,
Governor-General.

By His Excellency's Command,

GRANVILLE RYRIE,
for Minister of State for Defence.

AMENDMENT TO WAR FINANCIAL REGULATIONS.

War Financial Regulation 43a is cancelled and the following substituted therefor:—

43a. (i) In order to obtain equality of treatment between soldiers who received demobilization leave upon the approved scale (with corresponding pay and allowances) before discharge from the Australian Imperial Force or the Naval and Military Expeditionary Force and those who did not receive such leave, grants based upon the rates of military pay and the rules of sustenance allowance may be approved by the Minister for issue to persons who have been discharged from the Australian Imperial Force or the Naval and Military Expeditionary Force or in the cases of former members of such Forces who have died before receiving such grants, the Minister may approve of the issue of grants upon the same scale to the persons legally entitled to the estates of such deceased members provided that such persons either—

- (a) stood to the deceased in the relationship of parent, step-parent, foster-parent, wife, or child; or
- (b) were actually dependant upon the deceased at the time of his death;

provided further that in special cases in which, in the opinion of the Minister, the circumstances warrant it, payment may be made to such other persons and under such conditions as the Minister may think fit.

C17643.—PRICE 3d.

(ii) Notwithstanding the provision in paragraph (i) relating to payment to persons legally entitled to the estates of deceased members, the demobilization leave payment may be paid to a parent, wife, child, or dependent of a deceased member who was not legally entitled to the estate of the deceased if the District Finance Officer is personally satisfied that the balance of the soldier's estate was—

- (a) paid in full to such non-beneficiary by the legal beneficiary in the soldier's estate;
- (b) wholly expended on behalf of such non-beneficiary by the legal beneficiary;
- (c) paid direct by the Department to such non-beneficiary on the authority of the legal beneficiary.

(iii) The following are approved definitions for the purpose of payment under clauses (a) and (b) of paragraph (i):—

(a) *Foster-parent*.—One who acts as parent though not so in fact. Provided that no payment was made to the foster-parent as consideration for the adoption and that the age of the child was not over eleven years at the commencement of adoption and that the adoption continued for not less than five years.

(b) *Dependency*.—

(i) Complete dependency means that the claimant had no financial resources other than the contribution of the member of the Forces.

(ii) Partial dependency means that the money received from sources other than the member of the Forces was not sufficient to maintain the claimant.

(iii) Provided always that the claimant is suffering present financial hardship as a result of the loss of the contribution of the member of the Forces.