

SEAMEN'S WAR PENSIONS AND  
ALLOWANCES (No. 2).

No. 75 of 1952.

An Act to amend the *Seamen's War Pensions and Allowances Act* 1940-1950, as amended by the *Seamen's War Pensions and Allowances Act* 1952.

[Assented to 1st November, 1952.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title  
and citation.

1.—(1.) This Act may be cited as the *Seamen's War Pensions and Allowances Act* (No. 2) 1952.

(2.) The *Seamen's War Pensions and Allowances Act 1940-1950\**, as amended by the *Seamen's War Pensions and Allowances Act 1952†*, is in this Act referred to as the Principal Act.

(3.) Section one of the *Seamen's War Pensions and Allowances Act 1952* is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Seamen's War Pensions and Allowances Act 1940-1952*.

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

3. The title of the Principal Act is amended by omitting the words "who suffer Death, Disablement, Detention or Loss as a result of the Present War, and for other purposes" and inserting in their stead the words "who suffered Death or Disablement as a result of the War which commenced on the third day of September, One thousand nine hundred and thirty-nine". Title.

4. Section three of the Principal Act is amended—

Definitions.

(a) by omitting from paragraph (f) of the definition of "Australian mariner" in sub-section (1.) the words "death, disablement, detention or loss" and inserting in their stead the words "death or disablement";

(b) by omitting from sub-section (1.) the definition of "Deputy Commissioner for Repatriation" and inserting in its stead the following definition:—

" 'Deputy Commissioner for Repatriation' means a person performing the duties of a Deputy Commissioner in the Repatriation Department; ";

(c) by omitting from sub-section (1.) the definition of "relevant date" and inserting in its stead the following definition:—

" 'relevant date' means, in relation to a claim for a pension, the date on which the Australian mariner concerned—

(a) sustained the war injury; or

(b) commenced the period of detention, to which his death or incapacity is directly attributable; ";

(d) by omitting from the definition of "the Commission" in sub-section (1.) the words "*Australian Soldiers' Repatriation Act 1920-1940*" and inserting in their stead the words "*Repatriation Act 1920-1952*"; and

(e) by omitting from the definition of "the present war" in sub-section (1.) the words "in which His Majesty is engaged and".

\* Act No. 60, 1940, as amended by No. 77, 1946; and No. 80, 1950.

† Act No. 17, 1952.

Rates of  
pension on  
death or  
total  
incapacity.

5. Section eighteen of the Principal Act is amended—

- (a) by omitting from sub-section (5.) the words "Three pounds one shilling" and inserting in their stead the words "Three pounds eleven shillings";
- (b) by omitting from sub-section (6.) the words "Four pound<sup>s</sup> four shillings" and inserting in their stead the words "Four pounds eighteen shillings and sixpence";
- (c) by omitting from paragraph (a) of sub-section (7.) the words "Two pounds four shillings" (wherever occurring) and inserting in their stead the words "Two pounds thirteen shillings";
- (d) by omitting from paragraph (a) of sub-section (7.) the words "One pound eleven shillings" and inserting in their stead the words "One pound seventeen shillings";
- (e) by omitting from paragraph (b) of sub-section (7.) the words "One pound three shillings" and inserting in their stead the words "One pound seven shillings and sixpence"; and
- (f) by omitting from sub-section (8.) the words "Four pounds" and inserting in their stead the words "Four pounds sixteen shillings".

Special rates  
of pension in  
certain cases.

6. Section twenty-two A of the Principal Act is amended—

- (a) by omitting the words "paragraph 2 of the First Schedule to the *Repatriation Act* 1920-1951" and inserting in their stead the words "paragraph 3 of the First Schedule to the *Repatriation Act* 1920-1952"; and
- (b) by omitting the words "*Repatriation Act* 1920-1951" (second occurring) and inserting in their stead the words "*Repatriation Act* 1920-1952".

Limit of  
payments in  
certain cases.

7. Section twenty-four of the Principal Act is amended—

- (a) by omitting from sub-paragraph (i) of paragraph (b) the words "Four pounds" and inserting in their stead the words "Four pounds sixteen shillings"; and
- (b) by omitting from sub-paragraph (ii) of paragraph (b) the words "One pound three shillings" and inserting in their stead the words "One pound seven shillings and sixpence".

8. Section fifty-nine of the Principal Act is amended by inserting *Regulations* after paragraph (f) the following paragraph :—

“(fa) grants to Australian mariners in respect of fares and travelling expenses and loss of salary or wages incurred or suffered by them in prescribed circumstances ;”.

9. The First and Second Schedules to the Principal Act are *First and Second Schedules.* repealed and the following Schedules inserted in their stead :—

#### FIRST SCHEDULE.

##### Section 18.

##### GENERAL PENSIONS RATES—DEATH OR TOTAL INCAPACITY.

Column 1.	Column 2.	Column 3.	Column 4.
Rate of pay per day of the Australian mariner.	Pension payable per fortnight to widow on death of Australian mariner.	Total of pensions payable per fortnight to dependants other than widow and children on death of Australian mariner.	Pension payable per fortnight to Australian mariner upon total incapacity.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
Not exceeding 0 19 0 ..	7 0 0	7 0 0	8 0 0
Exceeding 0 19 0 but not exceeding 1 0 0 ..	7 0 0	7 0 0	8 0 0
Exceeding 1 0 0 but not exceeding 1 2 6 ..	7 0 0	7 0 0	8 0 0
Exceeding 1 2 6 but not exceeding 1 7 6 ..	7 0 0	7 0 0	8 4 6
Exceeding 1 7 6 but not exceeding 1 15 0 ..	7 9 0	7 9 0	8 14 6
Exceeding 1 15 0 but not exceeding 2 2 6 ..	8 1 0	8 1 0	9 4 6
Exceeding 2 2 6 but not exceeding 2 10 0 ..	8 13 0	8 13 0	9 13 6
Exceeding 2 10 0 ..	8 16 0	8 16 0	9 16 0

#### SECOND SCHEDULE.

##### Section 21.

##### ALLOWANCE FOR ATTENDANT.

Column 1.	Column 2.
Description of Disability.	Fortnightly allowance for attendant.
	£ s. d.
Blind or with eyesight so defective as to have no useful sight ..	3 10 0
An injury affecting the cerebro-spinal system or causing incapacity similar in effect and severity ..	3 10 0
Loss of two arms ..	7 0 0
Loss of two legs and one arm ..	3 10 0
Loss of one leg at the hip and of the other either at the hip or in the upper third ..	3 10 0

10. Pensions and allowances at the rates payable under the Principal Act, as amended by this Act, are payable from and including the second day of October, One thousand nine hundred and fifty-two. *Application of amendments.*