

SOCIAL SERVICES (No. 2).

No. 38 of 1955.

An Act to amend the *Social Services Act* 1947-1954, as amended by the *Social Services Act* 1955.

[Assented to 19th October, 1955.]

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

1.—(1.) This Act may be cited as the *Social Services Act* (No. 2) 1955. Short title and citation.

(2.) The *Social Services Act* 1947-1954,* as amended by the *Social Services Act* 1955,† is in this Act referred to as the Principal Act.

(3.) Section one of the *Social Services Act* 1955 is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Social Services Act* 1947-1955.

2.—(1.) Subject to the next succeeding sub-section, this Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

(2.) Paragraph (a) of section four of this Act shall come into operation on the day on which the *Lands Acquisition Act* 1955 comes into operation.

* Act No. 28, 1947, as amended by Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 28, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; and No. 30, 1954.

† Act No. 15, 1955.

Amendments of
Principal Act.

3. The Principal Act is amended by omitting the words "*Australian Soldiers' Repatriation Act 1920-1947*" and "*Australian Soldiers' Repatriation Act 1920-1949*" (wherever occurring) and inserting in their stead the words "*Repatriation Act 1920-1954*".

Savings.

4. Section four of the Principal Act is amended—

- (a) by omitting from paragraph (e) of sub-section (1.) all the words after the word "documents" (second occurring) and inserting in their stead the words "relating to land disposed of by the Commonwealth are executed for and on behalf of the Commonwealth under the *Lands Acquisition Act 1955* and that Act applies to instruments, receipts and documents so executed in the same manner as if they were executed under that Act"; and
- (b) by omitting from paragraph (i) of sub-section (1.) the words "*Child Endowment Act 1942-1945*" and inserting in their stead the words "*Child Endowment Act 1941-1945*".

Definitions.

5. Section six of the Principal Act is amended by omitting the definition of "war pension".

Definitions.

6. Section eighteen of the Principal Act is amended—

- (a) by omitting from paragraph (j) of the definition of "income" the word "or" (last occurring);
- (b) by inserting after paragraph (j) of the definition of "income" the following paragraph :—

“(ja) an allowance for an attendant payable under the *Repatriation Act 1920-1954*; or”; and
- (c) by omitting the definition of "service pensioner".

Rate of
pension.

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

- (a) by omitting from sub-section (1.) the words "One hundred and eighty-two pounds" and inserting in their stead the words "Two hundred and eight pounds"; and
- (b) by omitting sub-sections (3.) and (4.) and inserting in their stead the following sub-sections :—

“(3.) A claimant or pensioner who is permanently blind and is receiving a war pension shall not be paid a pension under this Part—

(a) in the case of an unmarried person—at a rate per fortnight greater than the difference (if any) between the rate per fortnight of his war pension and the special rate of pension specified in the Second Schedule to the *Repatriation Act 1920-1954*; and

(b) in the case of a married person—at a rate per fortnight greater than half the difference (if any) between the total of the rate per fortnight of his war pension and of the rate per fortnight of the war pension (if any) payable to his wife, or her husband, as the case may be, and Thirty pounds.

“(4.) In this section, ‘war pension’ means a pension (other than a service pension), an amount and an allowance (other than an allowance for an attendant) payable under the *Repatriation Act 1920–1954*.”.

8. Section thirty-three of the Principal Act is amended by omitting sub-section (2A.).

Amount of
wife's
allowance.

9. Section fifty of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “Sixty-three pounds fourteen shillings” and inserting in their stead the words “Seventy-two pounds sixteen shillings”.

Inmates of
benevolent
homes.

10. Section sixty-three of the Principal Act is amended—

Rate of
widow's
pension.

(a) by omitting from paragraph (a) of sub-section (1.) the words “One hundred and ninety-five pounds” and inserting in their stead the words “Two hundred and twenty-one pounds”;

(b) by omitting from paragraph (b) of sub-section (1.) the words “One hundred and forty-nine pounds ten shillings” and inserting in their stead the words “One hundred and seventy-five pounds ten shillings”;

(c) by omitting sub-section (2A.);

(d) by omitting from sub-section (3.) the words “Two pounds seventeen shillings and sixpence” and inserting in their stead the words “Three pounds seven shillings and sixpence”; and

(e) by omitting sub-section (4.).

11. Section eighty of the Principal Act is amended by omitting from paragraph (a) of sub-section (1.) the words “Fifty-four pounds twelve shillings” and inserting in their stead the words “Sixty-three pounds fourteen shillings”.

Inmates of
benevolent
homes.

12. Section one hundred and three of the Principal Act is amended by omitting from sub-section (1.) the words “Subject to the next succeeding section” and inserting in their stead the words “Subject to section one hundred and four of this Act”.

Endowment
to cease in
certain
circumstances.

Certificate by
Director-
General as to
amount of
pension to be
deducted under
certain other
laws.

13. Section one hundred and forty-three A of the Principal Act is amended by inserting at the end thereof the following sub-section :—

“(3.) In this section, ‘ war pension ’ means a pension, including a service pension, an amount and an allowance (other than an allowance for an attendant) payable under the *Repatriation Act* 1920–1954.”.

Application of
amendments.

14. The amendments effected by this Act, in so far as they relate to instalments of pensions, apply in relation to an instalment of a pension falling due on the first pension pay day after the date on which this Act receives the Royal Assent and to all subsequent instalments.
