**National Health**

**No. 100 of 1965**

An Act to amend the *National Health Act* 1953–1964 in relation to Pensioners.

[Assented to 13 December, 1965]

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 *National Health Act* 1965.

(2.) The *National Health Act* 1953–1964, as amended by this Act, may be cited as the *National Health Act* 1953–1965.

**Commencement.**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent but the amendment made by paragraph (*b*)of section 3 of this Act does not take effect until the first day of January, One thousand nine hundred and sixty-six.

**Interpretation.**

**3.** Section 4 of the *National Health Act* 1953–1964 is amended—

(*a*)by omitting from sub-section (1.) the definition of “dependant” and inserting in its stead the following definition:—

“‘dependant’, in relation to a pensioner, means—

(*a*) the wife of the pensioner;

(*b*)a woman who is living with the pensioner as his wife on a permanent and *bona fide* domestic basis, although not legally married to him, and has been so living with him for not less than three years;

(*c*) a child under the age of sixteen years in the custody, care and control of the pensioner or of the wife or husband of the pensioner; or

(*d*)a child in the custody, care and control of the pensioner or of the wife or husband of the pensioner, being a child who—

(i) has attained the age of sixteen years but is under the age of twenty-one years;

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

(iii) is not in receipt of an invalid pension under Part III. of the *Social Services Act* 1947–1965; and

(iv) except where the pensioner is a person to whom, or in respect of whom, there is being paid a service pension under the *Repatriation Act* 1920–1965—is wholly or substantially dependent on the pensioner;”; and

(*b*)by omitting from sub-section (1.) the definition of “pensioner” and inserting in its stead the following definition:—

“‘pensioner’ means a person to whom, or in respect of whom, there is being paid—

(*a*) an age pension, an invalid pension or a widow’s pension under the *Social Services Act* 1947–1965;

(*b*)a service pension under the *Repatriation Act* 1920–1965; or

(*c*) an allowance under the *Tuberculosis Act* 1948,

but does not include a person who would not, by reason of his income or property, be eligible to receive a pension under the *Social Services Act* 1947–1965, or the *Repatriation Act* 1920–1965, as in force on the first day of January, One thousand nine hundred and sixty-six;”.