

REPATRIATION.

No. 44 of 1960.

An Act to amend the *Repatriation Act* 1920–1959.

[Assented to 27th September, 1960.]

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 *Repatriation Act* 1960. Short title and citation.

(2.) The *Repatriation Act 1920–1959** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Repatriation Act 1920–1960*.

**Commence-
ment.**

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.

(2.) Sections three to six (inclusive) of this Act shall come into operation on a date to be fixed by Proclamation.

**Amendments of
Division 5 of
Part III. of
Principal Act.**

3. Division 5 of Part III. of the Principal Act is amended by omitting the words “*Social Services Consolidation Act 1947*”, “*Social Services Consolidation Act 1947–1953*”, “*Social Services Act 1947–1956*”, “*Social Services Consolidation Act 1947–1948*” and “*Social Services Act 1947–1958*” (wherever occurring) and inserting in their stead the words “*Social Services Act 1947–1960*”.

Definitions.

4. Section eighty-three of the Principal Act is amended by inserting after the definition of “Income derived from property” the following definitions:—

“ ‘Means as assessed’, in relation to a person, means an amount equal to the sum of the annual rate of the income of that person, apart from service pension, and the property component calculated in relation to that person;

“ ‘Property component’, in relation to a person, means an amount calculated at the rate of Nineteen shillings and six pence for every complete Ten pounds included in so much of the net capital value of the accumulated property of that person as exceeds Two hundred pounds;”.

**Variation of
rate of service
pension
according to
means.**

5. Section eighty-seven of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) A service pension shall not be granted at a rate that exceeds the maximum rate at which an age pension could be payable to the service pensioner under Part III. of the *Social Services Act 1947–1960* if—

- (a) he were qualified to receive such an age pension; and
- (b) his means as assessed, for the purposes of that Part of that Act, were an amount equal to his means as assessed as defined for the purposes of this Division.”.

* Act No. 6, 1920, as amended by No. 34, 1921; No. 23, 1922; No. 14, 1929; No. 74, 1930; Nos. 10 and 47, 1931; No. 32, 1934; No. 58, 1935; Nos. 29 and 67, 1936; Nos. 12, 24 and 42, 1937; No. 55, 1938; Nos. 37 and 96, 1940; No. 49, 1941; No. 22, 1943; No. 11, 1945; No. 49, 1946; Nos. 1, 29 and 74, 1947; No. 39, 1948; No. 38, 1949; Nos. 34 and 80, 1950; No. 31, 1951; No. 58, 1952; No. 69, 1953; No. 31, 1954; No. 39, 1955; Nos. 68 and 97, 1956; No. 44, 1957; No. 47, 1958; and No. 58, 1959.

6. Section eighty-nine of the Principal Act is repealed.

Reduction of service pension where pensioner has accumulated property.

7. The First Schedule to the Principal Act is amended by omitting the scale and inserting in its stead the following scale:—

First Schedule.

COLUMN 1.	COLUMN 2.	COLUMN 3.	COLUMN 4.
Rank or Rating of the Member.	Pension payable to Widowed Mother on Death of Member.	Pension payable to Widow on Death of Member.	Pension payable to Member upon Total Incapacity.
	£ s. d. Per fortnight.	£ s. d. Per fortnight.	£ s. d. Per fortnight.
All ranks and ratings below Leading Seaman, Corporal and relative ranks and ratings	4 10 0	11 0 0	11 0 0
Leading Seaman, Corporal and relative ranks and ratings	5 0 0	11 0 0	11 0 0
Petty Officer, Sergeant and relative ranks and ratings	5 3 0	11 0 0	11 0 0
Chief Petty Officer, Staff Sergeant, Flight Sergeant and relative ranks and ratings..	5 5 6	11 0 0	11 0 0
Warrant Officer and relative ranks ..	5 13 6	11 0 0	11 0 0
All commissioned ranks below Lieutenant (Navy), Captain (Army), Flight Lieutenant (Air Force) and relative ranks	5 18 0	11 0 0	11 0 0
Lieutenant (Navy), Captain (Army), Flight Lieutenant (Air Force) and relative ranks	6 8 0	11 0 0	11 4 6
Lieutenant-Commander, Major, Squadron Leader and relative ranks	6 19 0	11 9 0	11 14 6
Commander, Lieutenant-Colonel, Wing Commander and relative ranks	7 11 0	12 1 0	12 4 6
Captain (Navy), Colonel, Group Captain and relative ranks	8 3 0	12 13 0	12 13 6
All ranks higher than Captain (Navy). Colonel, Group Captain and relative ranks	8 6 0	12 16 0	12 16 0

8. The Second Schedule to the Principal Act is amended by omitting the words—

Second Schedule.

“ RATE FOR SPECIAL PENSIONS—TWENTY-FOUR POUNDS TEN SHILLINGS PER FORTNIGHT.”

and inserting in their stead the words—

“ RATE FOR SPECIAL PENSIONS—TWENTY-FIVE POUNDS TEN SHILLINGS PER FORTNIGHT.”

Fifth Schedule.

9. The Fifth Schedule to the Principal Act is amended by omitting the table in paragraph 1 and inserting in its stead the following table:—

COLUMN 1.	COLUMN 2.	COLUMN 3.
Description of Disability.	Amount.	Allowances.
	£ s. d. Per fortnight.	£ s. d. Per fortnight.
Two arms amputated	14 10 0	9 0 0
Two legs and one arm amputated	14 10 0	5 10 0
Two legs amputated above the knee	14 10 0	5 10 0
Two legs amputated and loss of eye	14 10 0	—
One leg and one arm amputated and one eye destroyed..	14 10 0	—
One leg and one arm amputated	14 10 0	—
One leg amputated above, and one leg amputated below, the knee	7 2 0	—
Two legs amputated below the knee	4 15 0	—
One arm amputated and one eye destroyed	4 4 0	—
One leg amputated and one eye destroyed	4 4 0	—
One leg amputated above the knee	2 3 0	—
One leg amputated below the knee	1 7 0	—
One arm amputated above the elbow	2 3 0	—
One arm amputated below the elbow	1 7 0	—
Loss of vision in one eye	1 16 0	—

Application of
amendments.

10.—(1.) The amendments effected by sections seven, eight and nine of this Act apply in relation to an instalment of pension falling due on the first pension pay day after the day on which this Act receives the Royal Assent and to all subsequent instalments.

(2.) The amendments effected by sections three to six (inclusive) of this Act, in so far as they affect instalments of service pensions, apply in relation to an instalment of service pension falling due on the first pension pay day after the date on which those amendments come into operation and to all subsequent instalments.