

THE SCHEDULES—*continued.*SECOND SCHEDULE—*continued.*

FORM F.

Banking Act 1945.

STATEMENT OF FOREIGN CURRENCY POSITION

of the as at the close of business on £ Eng.

1. London Surplus as per London Office Books, excluding Surplus or Deficiency on New Zealand and Fiji Account	£ Eng.
2. Excess of London Remittances over Drawings in transit as per Australian books	£ Eng.
3. Balances (as per Australian books)—	£ Eng.
(a) in New Zealand
(b) in Fiji
(c) in United States of America
(d) in other overseas centres
Total overseas funds held on Australian account other than in London

Directions.

1. This statement shall be prepared as at the close of business on Monday in each week.
2. Copies of this statement shall be delivered to the Commonwealth Statistician and to the Commonwealth Bank within fourteen days after the date as at which it is prepared.
3. The amounts shown in item 3 shall be converted to English currency at the ruling telegraphic transfer buying rate of exchange.

SUPERANNUATION.

No. 15 of 1945.

An Act to amend the *Superannuation Act 1922-1943.*

[Assented to 3rd August, 1945.]

BE it enacted by the King'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 *Superannuation Act 1945.*
- (2.) The *Superannuation Act 1922-1943** is in this Act referred to as the Principal Act.

Short title and citation.

* Act No. 33, 1922, as amended by No. 45, 1924; No. 22, 1930; No. 10, 1931; No. 45, 1934; No. 28, 1937; No. 53, 1942; and No. 18, 1943.

(3.) The Principal Act, as amended by this Act, may be cited as the *Superannuation Act 1922-1945*.

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

Interpretation. 3. Section four of the Principal Act is amended by omitting from paragraph (c) of sub-section (5.), and from sub-section (6.), the words "an indefinite period" and inserting in their stead the words "a period of at least ten years".

Medical examination of employees. 4. Section four B of the Principal Act is amended by omitting the word "appointment" (first occurring) and inserting in its stead the words "becoming an employee, or within such period thereafter as the Board allows".

5. After section four B of the Principal Act the following section is inserted :—

Married women not to be contributors.

"4c.—(1.) A married woman who becomes an employee after the commencement of this section shall not be entitled or required to contribute to the Fund or to the Provident Account.

"(2.) A female employee who marries after the commencement of this section shall, for the purposes of this Act, be deemed to have resigned on the date of her marriage."

Scale of units of pension.

6. Section thirteen of the Principal Act is amended—

(a) by inserting in the proviso to paragraph (c) of sub-section (4.), after the word "defect", the words "(not being a defect which, in the opinion of the Board, is the result of the service of the contributor as a member of the Forces as defined by sub-section (2.) of section eighty c of this Act)"; and

(b) by omitting from the proviso to sub-section (4B.) the word "of" (last occurring) and inserting in its stead the word "for".

7. Section forty-one of the Principal Act is repealed and the following section inserted in its stead :—

Desertion by pensioner of wife or child.

"41.—(1.) Where a pensioner deserts his wife or leaves her without means of support, the wife may, from time to time, apply to a court of summary jurisdiction constituted by a Police, Stipendiary or Special Magistrate, and, on proof that the wife has been deserted or left without means of support, the court may order the payment, during such period as it thinks desirable, of pension in accordance with section thirty-two of this Act as if the pensioner were dead.

“(2.) Where a pensioner whose wife is dead or divorced deserts, or leaves without means of support, any of his children who are dependent on him, the guardian of the children, or the Board, may, from time to time, apply to a court of summary jurisdiction constituted by a Police, Stipendiary or Special Magistrate, and, on proof that any child of the pensioner who is dependent on him has been deserted or left without means of support, the court may order the payment, during such period as it thinks desirable, of pension in accordance with section thirty-three of this Act as if the pensioner were dead.

“(3.) The Board shall comply with any order made under this section and the amount of the pension payable to the pensioner shall be reduced by the amount of the pension payable in pursuance of the order of the court.”.

8. Section fifty of the Principal Act is amended by omitting from sub-section (1.), and from paragraph (a) of sub-section (4.), the words “his duties” and inserting in their stead the words “duties which, in the opinion of the Board, are suitable to be performed by the pensioner, having regard to the duties performed by him immediately prior to his retirement”.

Pensioner restored to health may be recalled to service.

9. Section fifty-seven of the Principal Act is amended—

(a) by inserting after sub-section (1c.) the following sub-sections:—

“(1d.) Where, prior to the commencement of this sub-section, an employee has, in pursuance of sub-section (1.) of this section, transferred to the Board a right to a pension or superannuation allowance, and has received a grant of new rights of pension in respect of the transferred right, the employee may, within six months after the commencement of this sub-section, elect to receive, in lieu of those new rights, a grant by the Board of the following rights of pension under this Act:—

Exchange of pension rights for equivalent rights under this Act.

(a) a pension for himself on retirement equal to seventy-two and one half per centum of the pension which would have been payable to him on retirement if he had not transferred his right; and

(b) on his death—

(i) a pension for his widow equal to thirty-six and one quarter per centum of the pension which would have been payable to him if he had not transferred his right to the Board and had retired immediately prior to his death; and

- (ii) a pension for each of his children who are under the age of sixteen years, at the rate of Thirteen pounds per annum, until the age of sixteen has been attained.

“(1E.) Where, at the commencement of this sub-section, a person is in receipt of a pension under this section and the amount of the pension is less than it would have been if it had been calculated in accordance with the last preceding sub-section, that pension shall, as from the commencement of this sub-section, be increased to an amount calculated in accordance with the last preceding sub-section, and the amount of any pension payable on his death for his widow or children, or for both, shall be calculated in accordance with the last preceding sub-section.”; and

- (b) by omitting from sub-section (3.) the words “ any agreement under ”.

Deferred pay.

10. Section sixty L of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words “ to an officer or to the widow or children of an officer, the officer or his widow or children ” and inserting in their stead the words “ to an officer or employee or to the widow or children of an officer or employee, the officer or employee or the widow or children of the officer or employee ” ;
- (b) by inserting in sub-section (2.), after the word “ officer ” (wherever occurring), the words “ or employee ” ; and
- (c) by adding at the end thereof the following sub-section :—

“(3.) Any reference in the preceding provisions of this section to any payment in the nature of deferred pay shall not include any such payment payable to a commissioned warrant officer, or to his widow or children, in respect of his service as a commissioned warrant officer of the Permanent Air Force prior to the second day of November, One thousand nine hundred and forty-two.”.

Partial incapacity.

11. Section sixty o of the Principal Act is amended by omitting from sub-section (2A.) the words “ the last preceding sub-section ” and inserting in their stead the words “ sub-section (2.) of this section ”.

Acceptance of election outside prescribed period.

12. Section seventy-six A of the Principal Act is amended—

- (a) by omitting from sub-section (1.) the words “ after the expiration ” and inserting in their stead the words “ before the commencement, or after the expiration, ” ;

- (b) by omitting from that sub-section the words "before the expiration of" and inserting in their stead the word "within"; and
- (c) by omitting from sub-section (2.) the words "of an election under the last preceding sub-section" and inserting in their stead the words "under the last preceding sub-section, of an election made after the expiration of the prescribed period".

WAR GRATUITY.

No. 16 of 1945.

An Act relating to the payment of War Gratuity to members of the Defence Force in respect of War Service.

[Assented to 3rd August, 1945.]

[Date of commencement, 31st August, 1945.]

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

1. This Act may be cited as the *War Gratuity Act 1945*.

Short title.

2. In this Act, unless the contrary intention appears—

Definitions.

"Australia" means that area comprising the States of the Commonwealth, the Australian Capital Territory and the Northern Territory ;

"Australian Territories" means the Territories of Papua, New Guinea and Norfolk Island ;

"date of embarkation", in relation to a member, means the date upon which the member embarked on a ship or aircraft for service in an overseas area, but shall not be deemed to refer to the embarkation on that ship or aircraft on that date of a member who disembarked from that ship or aircraft before reaching an overseas area and, in the opinion of a prescribed authority, did not proceed forthwith in the same or another ship or aircraft for service in an overseas area ;