

States Grants (Deserted Wives)

No. 48 of 1968

An Act to grant Financial Assistance to certain States in respect of Benefits provided for Deserted Wives, and certain other Women, having the Custody, Care and Control of Children.

[Assented to 21 June 1968]

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. This Act may be cited as the *States Grants (Deserted Wives) Act* 1968. Short title.

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

3. In this Act, unless the contrary intention appears— Definitions.

“approved benefits” means benefits that are to alleviate hardship and are of a kind approved by the Minister;

“participating State” means a State that provides approved benefits for persons in relation to whom this Act applies and the government of which has informed the government of the Commonwealth that it desires to participate in financial assistance granted by the Commonwealth under this Act;

“period to which this Act applies” means the period of three months that commenced on the first day of January, One thousand nine hundred and sixty-eight, and each succeeding period of three months;

“person in relation to whom this Act applies” means a woman who has the custody, care and control of a child or children, but is not in receipt of pension, allowance or other benefit under Part III., IV., VII., VIIA. or VIII. of the Social Services Act, and—

(a) is a wife who has been deserted by her husband without just cause for a period of less than six months and who would, if she had been so deserted for a period of not less than six months, be a Class A widow for the purposes of Part IV. of the Social Services Act;

(b) is a wife whose husband is imprisoned but is imprisoned otherwise than as specified in paragraph (e) of the definition of “widow” in sub-section (1.) of section 59 of

the Social Services Act and who would, if her husband were imprisoned as specified in that paragraph, be a Class A widow for the purposes of Part IV. of the Social Services Act; or

- (c) is the mother of one or more of the children of whom she has the custody, care and control and is included in a prescribed class of women;

“ the Social Services Act ” means the *Social Services Act 1947–1967*.

Grants to participating States.

4.—(1.) Where a participating State has expended moneys in providing, in respect of a period to which this Act applies or in respect of a part of such a period, approved benefits for a person in relation to whom this Act applies, there is payable to that State, by way of financial assistance, an amount equal to one-half of—

- (a) the amount so expended; or
 (b) the amount of pension that would have been payable to the person in respect of that period or that part of that period, as the case may be, under Part IV. of the Social Services Act if the person had been a Class A widow for the purposes of that Part during that period or that part of that period, as the case may be,

whichever is the less.

(2.) For the purposes of this Act—

- (a) the reference in the definition of “ child ” in sub-section (1.) of section 59 of the Social Services Act to the event by reason of which a woman became a widow shall, in relation to a woman referred to in paragraph (b) of the definition of “ person in relation to whom this Act applies ” in the last preceding section, be read as a reference to the imprisonment of her husband; and
 (b) any reference in Part IV. of the Social Services Act to a child shall, in relation to a woman referred to in paragraph (c) of that definition, be read as a reference to any child of whom she is the mother.

Grants to be paid out of National Welfare Fund.

5. Payments to a State under this Act shall be made out of the trust account established under the *National Welfare Fund Act 1943–1952* and known as the National Welfare Fund.

Regulations.

6. The Governor-General may make regulations, not inconsistent with this Act, prescribing any matter which, by this Act, is required or permitted to be prescribed.