

# Social Services (No. 2)

No. 67 of 1971

An Act to amend the *Social Services Act* 1947–1970,  
as amended by the *Social Services Act* 1971.

[Assented to 29 September 1971]

**B**E 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 *Social Services Act* (No. 2) 1971.

(2.) The *Social Services Act* 1947–1970,\* as amended by the *Social Services Act* 1971,† is in this Act referred to as the Principal Act.

(3.) Section 1 of the *Social Services Act* 1971 is amended by omitting sub-section (3.).

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\* Act No. 26, 1947, as amended by Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 26, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; No. 30, 1954; Nos. 15 and 38, 1955; Nos. 67 and 98, 1956; No. 46, 1957; No. 44, 1958; No. 57, 1959; No. 45, 1960; No. 45, 1961; Nos. 1 and 95, 1962; No. 46, 1963; Nos. 3 and 63, 1964; Nos. 57 and 152, 1965; No. 41, 1966; Nos. 10 and 61, 1967; No. 65, 1968; No. 94, 1969; and Nos. 2 and 59, 1970.  
† Act No. 16, 1971.

(4.) The Principal Act, as amended by this Act, may be cited as the *Social Services Act 1947–1971*.

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

Commencement.

3. Section 28 of the Principal Act is amended—

(a) by omitting sub-section (1B.) and inserting in its stead the following sub-section:—

“(1B.) Where a person has the custody, care and control of a child or children under the age of sixteen years, the maximum rate of pension applicable to that person under sub-section (1A.) of this section shall, subject to the next four succeeding sub-sections, be increased, or, if the last preceding sub-section applies to the person, be further increased by Two hundred and thirty-four dollars per annum in respect of each child.”;

(b) by omitting from paragraphs (a) and (b) of sub-section (1F.) the words “One hundred and thirty dollars” (wherever occurring) and inserting in their stead the words “Two hundred and thirty-four dollars”;

(c) by omitting from sub-paragraph (ii) of paragraph (a) of sub-section (3.) the words “Five dollars” and inserting in their stead the words “Nine dollars”; and

(d) by omitting from the formula in sub-paragraph (ii) of paragraph (b) of sub-section (3.) the figures “\$572” and inserting in their stead the figures “\$676”.

Rate of age or invalid pension (including guardian's allowances payable to an unmarried person).

4. Section 28A of the Principal Act is repealed and the following section inserted in its stead:—

“28A.—(1.) Where—

(a) a person to whom paragraph (a) of sub-section (1A.) of the last preceding section applies is permanently blind; or

(b) the amount of the means as assessed of a person to whom paragraph (a) of sub-section (1A.) of the last preceding section applies does not exceed—

(i) in the case of an unmarried person—Five hundred and twenty dollars; or

(ii) in the case of a married person—Four hundred and forty-two dollars,

Maximum rate to be deemed to be increased in relation to certain persons.

the maximum rate specified in that paragraph shall be deemed, in relation to that person, to be increased by Ninety-one dollars per annum.

“(2.) Where the amount of the means as assessed of a person referred to in paragraph (b) of the last preceding sub-section—

(a) in the case of an unmarried person—exceeds Five hundred and twenty dollars but does not exceed Seven hundred and two dollars; or

- (b) in the case of a married person—exceeds Four hundred and forty-two dollars but does not exceed Six hundred and twenty-four dollars,

the maximum rate specified in paragraph (a) of sub-section (1A.) of the last preceding section shall be deemed, in relation to that person, to be increased by such amount per annum as is equal to one-half of the amount by which the means as assessed of the person is less than—

- (c) in the case of an unmarried person—Seven hundred and two dollars; or  
 (d) in the case of a married person—Six hundred and twenty-four dollars.

“(3.) Where—

- (a) a person to whom paragraph (b) of sub-section (1A.) of the last preceding section applies is permanently blind; or  
 (b) the amount of the means as assessed of a person to whom paragraph (b) of sub-section (1A.) of the last preceding section applies does not exceed Four hundred and forty-two dollars,

the maximum rate specified in that paragraph shall, subject to sub-section (5.) of this section, be deemed, in relation to that person, to be increased by Seventy-eight dollars per annum.

“(4.) Where the amount of the means as assessed of a person referred to in paragraph (b) of the last preceding sub-section exceeds Four hundred and forty-two dollars but does not exceed Five hundred and ninety-eight dollars, the maximum rate specified in paragraph (b) of sub-section (1A.) of the last preceding section shall, subject to the next succeeding sub-section, be deemed, in relation to that person, to be increased by such amount per annum as is equal to one-half of the amount by which the amount of the means as assessed of that person is less than Five hundred and ninety-eight dollars.

“(5.) This section does not affect the amount to be attributed to the symbol ‘P’ in the formulas set out in paragraph (b) of sub-section (3.) of the last preceding section.”.

Amount of  
wife's  
allowance.

5. Section 33 of the Principal Act is amended by omitting from sub-section (1.) the words “Three hundred and sixty-four dollars” and inserting in their stead the words “Four hundred and sixteen dollars”.

Inmates of  
benevolent  
homes.

6. Section 50 of the Principal Act is amended—

- (a) by omitting paragraph (a) of sub-section (1.) and inserting in its stead the following paragraph:—

“(a) he shall, so long as he remains an inmate of the benevolent home, be paid so much of his pension as does not exceed Three hundred and twelve dollars per annum, or, if an

allowance under Division 4A of this Part is payable to him, Three hundred and sixty-four dollars per annum;"; and

(b) by omitting sub-sections (2.) and (3.).

**7. Section 63 of the Principal Act is amended—**

(a) by omitting sub-section (1A.) and inserting in its stead the following sub-section:—

“(1A.) In the case of a class A widow, the maximum rate of pension applicable under paragraph (a) or paragraph (aa) of the last preceding sub-section shall be increased by Two hundred and thirty-four dollars per annum in respect of each child in her custody, care and control.”; and

(b) by omitting from sub-section (3.) the words “ Fourteen dollars twenty-five cents ” and inserting in their stead the words “ Fifteen dollars twenty-five cents ”.

Rate of widow's pension (including mother's allowance payable to class A widows).

**8. Section 63A of the Principal Act is amended—**

(a) by omitting from sub-section (1.) the words “ Twenty-six dollars ” and inserting in their stead the words “ Ninety-one dollars ”;

(b) by omitting from sub-section (2.) the words “ Five hundred and seventy-two dollars ” (wherever occurring) and inserting in their stead the words “ Seven hundred and two dollars ”;

(c) by omitting from sub-section (3.) the words “ Twenty-six dollars ” and inserting in their stead the words “ Seventy-eight dollars ”; and

(d) by omitting from sub-section (4.) the words “ Five hundred and seventy-two dollars ” (wherever occurring) and inserting in their stead the words “ Six hundred and seventy-six dollars ”.

Maximum rate to be deemed to be increased in relation to certain persons.

**9. Section 80 of the Principal Act is amended—**

(a) by omitting from paragraph (a) of sub-section (1.) the words “ Two hundred and sixty dollars ” and “ Three hundred and twelve dollars ” and inserting in their stead the words “ Three hundred and twelve dollars ” and “ Three hundred and sixty-four dollars ”, respectively; and

(b) by omitting sub-sections (2.) and (3.).

Inmates of benevolent homes.

**10. Section 95 of the Principal Act is amended—**

(a) by omitting from paragraph (c) of sub-section (2.) the words “ One dollar fifty cents ” and inserting in their stead the words “ Two dollars ”;

Child endowment.

(b) by omitting sub-section (4.) and inserting in its stead the following sub-section:—

“ (4.) The rate of endowment payable to an endowee, being an institution, in respect of a child is—

(a) where the child is a student child—One dollar fifty cents per week; or

(b) in any other case—Two dollars per week.”; and

(c) by omitting sub-section (7.).

Rate of unemployment and sickness benefit.

**11.** Section 112 of the Principal Act is amended—

(a) by omitting from sub-sections (2.), (3.) and (4.) the words “ Seven dollars ” (wherever occurring) and inserting in their stead the words “ Eight dollars ”;

(b) by omitting sub-section (5.) and inserting in its stead the following sub-section:—

“ (5.) Where a person qualified to receive an unemployment benefit or a sickness benefit—

(a) has the custody, care and control of a child or children under the age of sixteen years; or

(b) is making regular contributions towards the maintenance of a child or children under that age,

the rate of the benefit payable to that person under the preceding provisions of this section shall, subject to the next succeeding sub-section, be increased by Four dollars fifty cents per week in respect of each such child.”; and

(c) by omitting from paragraph (c) of sub-section (6.) the words “ Two dollars fifty cents ” and inserting in their stead the words “ Four dollars fifty cents ”.

Calculation of rate of sickness benefits after first six weeks.

**12.** Section 112A of the Principal Act is amended—

(a) by omitting from paragraphs (a) and (b) of sub-section (1.) the words “ Ten dollars fifty cents ” (wherever occurring) and inserting in their stead the words “ Eleven dollars twenty-five cents ”; and

(b) by omitting from sub-paragraph (ii) of paragraph (c) of sub-section (1.) the words “ fifty cents ” and inserting in their stead the words “ One dollar seventy-five cents ”.

Means test.

**13.** Section 114 of the Principal Act is amended by omitting from sub-section (4.) the words “ Seven dollars ” and inserting in their stead the words “ Eight dollars ”.

Application of amendments.

**14.—**(1.) In so far as an amendment made by this Act affects instalments of pensions or of allowances, the amendment applies in relation to an instalment of a pension or of an allowance, as the case may be, falling

due on the first pension pay day or allowance pay day, as the case may be, after the date of commencement of this Act and to all subsequent instalments.

(2.) In so far as an amendment made by this Act affects instalments of service pensions under the *Repatriation Act 1920–1971*, the amendment applies in relation to an instalment of a service pension falling due on the first service pension pay day after the date of commencement of this Act and to all subsequent instalments.

(3.) In so far as an amendment made by this Act affects the rate at which any endowment under Part VI. of the Principal Act as amended by this Act is payable, the amendment applies in relation to a payment of endowment payable in respect of any endowment period that commences after the date of commencement of this Act.

(4.) In so far as an amendment made by this Act affects instalments of unemployment benefit or sickness benefit, the amendment applies in relation to an instalment of benefit payable in respect of a period that commences after the date of commencement of this Act or that commenced during the period of seven days ending on that date.

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