

**COAL AND OIL SHALE MINE WORKERS (SUPER-
ANNUATION) AMENDMENT ACT.**

Act No. 67, 1964.

An Act to increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1962; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith. [Assented to, 18th December, 1964.] Elizabeth II,
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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1964". Short title
and citation.

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1964.

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1962, is amended— Amendment
of Act No.
45, 1941.

(a) by inserting at the end of section six the following new subsection:— Sec. 6.
(Pensions—
mine
workers
who are
retired.)

(15) (a) The amount of pension per week payable to any mine worker who has, before the fifteenth day of March, one thousand nine hundred and sixty-four, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be six pounds seventeen shillings and sixpence.

(b)

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(b) The amount of pension per week payable to any mine worker who, on or after the fifteenth day of March, one thousand nine hundred and sixty-four, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be six pounds seventeen shillings and sixpence.

Sec. 7.
(Pension—
permanent
incapacity.)

(b) by omitting from subsections one and (1A) of section seven the words “six pounds two shillings and sixpence” wherever occurring and by inserting in lieu thereof the words “six pounds seventeen shillings and sixpence”;

Sec. 8.
(Hard luck
cases.)

(c) by omitting from subsection one of section eight the words “six pounds two shillings and sixpence” and by inserting in lieu thereof the words “six pounds seventeen shillings and sixpence”;

Sec. 9.
(Pensions—
additional
payments in
respect of
dependants.)

(d) (i) by omitting from subsection one of section nine the words “five pounds seven shillings and sixpence” wherever occurring and by inserting in lieu thereof the words “six pounds two shillings and sixpence”;

(ii) by omitting from subsection five of the same section the words “Social Services Consolidation Act 1947-1952 of the Parliament of the Commonwealth” and by inserting in lieu thereof the words “Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament”;

(iii) by inserting in the same subsection after the words “seven shillings and sixpence per week” the words “where only the wife is in receipt of or entitled to receive age or invalid pension as aforesaid or seventeen shillings and sixpence per week where the mine worker and his wife are in receipt of or entitled to receive age or invalid pension as aforesaid”;

(e)

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- (e) by omitting from subsections one and (1c) of section ten the words "five pounds twelve shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "six pounds seven shillings and sixpence"; No. 67, 1964
Sec. 10.
(Pension payable to dependants.)
- (f) by omitting from subsection three of section 10A the words "five pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "six pounds seven shillings and sixpence". Sec. 10A.
(De facto wife.)

(2) (a) The amendments made by paragraphs (b), (c) and (d) of subsection one of this section shall be deemed to extend to and from the fifteenth day of March, one thousand nine hundred and sixty-four, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to mine workers becoming eligible for any pension or addition thereto after such date.

(b) The amendments made by paragraphs (e) and (f) of subsection one of this section shall be deemed to extend to and from the fifteenth day of March, one thousand nine hundred and sixty-four, apply in respect of all persons who were immediately before such date in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such date.

(3) The amendments made by subsection one of this section shall be deemed to have commenced on the fifteenth day of March, one thousand nine hundred and sixty-four.

(4) (a) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve Variation of estimates.

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No. 67, 1964 twelve months commencing on the first day of July, one thousand nine hundred and sixty-four, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this section, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this section, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

(b) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19D of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and sixty-four, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this section, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this section, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

Further amendment of Act No. 45, 1941.

Sec. 13.
(Deductions from pensions.)

3. The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1962, is further amended—

- (a) (i) by omitting from section thirteen the words “Social Services Consolidation Act 1947-1953 of the Parliament of the Commonwealth” wherever occurring and by inserting in lieu thereof

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thereof the words "Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament";

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- (ii) by inserting at the end of subsection one of the same section the following new proviso :—

Provided further that the deductions made from any amounts paid as pensions under this Act—

- (a) pursuant to section six, seven, eight or nine between the fourteenth day of November, one thousand nine hundred and sixty-three and the fifteenth day of March, one thousand nine hundred and sixty-four; or
- (b) pursuant to section ten or 10A between the twenty-fourth day of September, one thousand nine hundred and sixty-three and the fifteenth day of March, one thousand nine hundred and sixty-four,

which would have been valid had the Social Services Act 1963 of the Parliament of the Commonwealth not been enacted are hereby validated.

- (iii) by inserting in subsection three of the same section after the words "that Act" the words ", as so amended";
- (b) (i) by omitting from subsection two of section 19B the words "Social Services Consolidation Act 1947-1953 of the Parliament of the Commonwealth" wherever occurring and by inserting in lieu thereof the words "Social Services Consolidation Act 1947 of the Parliament of the Commonwealth, as amended by subsequent Acts of that Parliament,";
- (ii) by inserting in the same subsection after the words "that Act" the words ", as so amended".

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