

Queensland



ANNO NONO

ELIZABETHAE SECUNDAE REGINAE.

No. 18.

An Act to Amend "The Coal and Oil Shale Mine Workers (Pensions) Acts, 1941 to 1958," in certain particulars.

[ASSENTED TO 31ST OCTOBER, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland 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 (Pensions) Acts Amendment Act of 1960.*" Short title.

(2.) "*The Coal and Oil Shale Mine Workers (Pensions) Acts, 1941 to 1958,*" are in this Act referred to as the Principal Act. Principal Act

(3.) The Principal Act and this Act may be collectively cited as "*The Coal and Oil Shale Mine Workers (Pensions) Acts, 1941 to 1960.*" Collective title.

Amendments
of s. 4.

2. Section four of the Principal Act is amended—

(a) By repealing in paragraph (a) of subsection one the words “ and that such pensions are of the like amount and are awarded on the like conditions as the pensions for which provision is made in this Act ” ;

(b) By adding to paragraph (c) of subsection two the words “ or to any dependant of such person ” ; and

(c) By repealing subsection four and inserting, in lieu of that repealed subsection, the following subsections :—

“(4.) For the purposes of this section and of any agreement under this section, and for giving operation and effect to any such agreement, the provisions of this Act shall be read subject to all necessary adaptations including, but without limit to the generality of the provisions of this subsection,—

(a) By omitting from the definition “ mine worker ” in subsection one of section two the second proviso thereto (being the proviso excluding from that definition certain persons for that such persons did not become employed in Queensland in the coal or oil shale mining industries until of or over the age of fifty years) ; and

(b) By, in section six, deeming the term “ Queensland ”, wherever appearing to include, as well as the State of Queensland, the other State of the Commonwealth which, in relation to the agreement under this section in question, is the reciprocating State as declared by Proclamation made and published in the *Gazette* pursuant to this section ; and

(c) By, in subsection 1A of section seven deeming the term “ Queensland ”, wherever appearing, to include, as well as the State of Queensland, the other State of the Commonwealth which, in relation to the agreement under this section in question, is the reciprocating State as declared by Proclamation made and published in the *Gazette* pursuant to this section.

(5.) A mine worker who, pursuant to an agreement under this section is otherwise eligible for a pension under this Act, shall not be entitled to, or be awarded by the Tribunal, such pension—

- (a) Unless such mine worker would be eligible for a pension under the legislation corresponding to this Act of the other State of the Commonwealth which, in relation to such agreement, is the reciprocating State as declared by Proclamation made and published in the *Gazette* pursuant to this section if such mine worker had performed in such reciprocating State the aggregate of all employment as a mine worker had by him both in Queensland and in such reciprocating State ; or
- (b) In the case of any mine worker who, under the provisions of paragraph (a) of this subsection, is not eligible for a pension under this Act, unless such agreement expressly provides for the payment of a pension under this Act to him.”