

## TASMANIA.



1940.

ANNO QUARTO

GEORGI VI. REGIS.

No. 26.

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A.D.

1940.

AN ACT to make provision with respect to Contributions and Benefits of Members of Friendly Societies engaged on war service, and for the assistance of Friendly Societies in relation to the payment of death claims in respect of Members dying on war service.  
[27 June, 1940.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Friendly Societies (War Service) Act 1940*. Short title and incorporation.

(2) This Act shall be incorporated with the *Friendly Societies Act 1888*. <sup>51</sup> Vict. No. 16.

6d.]

*Friendly Societies (War Service).*

A.D. 1940. **2** In this Act, unless the contrary intention appears—

Interpretation.

“Death claim” means the amount undertaken to be paid by a society to the representatives of a member in the event of his death on war service:

“Member” means a financial member of a society, according to the rules thereof:

“Society” means a registered society or branch:

“War service” means service outside Australia during the present war in any of His Majesty’s land, sea, or air forces, and includes continuous service in Australia in the naval forces; and “death on war service” includes death in Australia from injuries received on war service:

“The account” means the Friendly Societies (War Service) Account kept pursuant to this Act.

Variation of contributions and benefits.  
W.A. 1939,  
No. 41.

**3** Subject to the approval of the Registrar, a society may suspend either wholly or in part the liability to pay contributions to the society, and may suspend or modify the benefits in the society, of any member who is engaged on war service or on military, naval, or air service in Australia as a member of the Defence Force.

Friendly Societies (War Service) Account.

**4—**(1) For the purposes of this Act there shall be opened and kept in the books of the Treasury an account to be called the “Friendly Societies (War Service) Account.”

(2) There shall be paid and credited to the account all amounts received from societies as provided by this Act.

(3) There shall be charged and debited to the account all payments to societies in accordance with this Act.

(4) The moneys standing to the credit of the account, and the accumulations thereof, may be invested by the Treasurer as he may think fit in any investments in which trustees are authorised to invest trust funds, and the interest received from the investment of such moneys shall be paid to the credit of the account.

Disposal of credit or debit balance in account.

**5** On the termination of the operation of this Act as provided by section thirteen—

I. Any balance remaining to the credit of the account shall be distributed among societies who have paid contributions thereto as provided by this Act, in such proportions and in such manner as the Treasurer, after receiving a report from the Statistician, may deem just and equitable: or

II. Any debit balance in the account shall be met from the Consolidated Revenue, which, to the necessary extent, is hereby appropriated accordingly—

and the account shall thereupon be closed.

*Friendly Societies (War Service).*

**6—**(1) Every society shall pay to the Treasurer as pre- A.D. 1940.  
scribed, to the credit of the account, contributions at the rate  
of four pounds per centum per annum upon the total amount of  
death claims payable by the society in respect of the death  
on war service of members thereof, as ascertained by returns  
made by the society as provided by section eight.

Payment of  
contributions  
by societies.

(2) The contributions required by this section shall be paid  
as from the date of enlistment or calling up for war service  
of the member of the society, and shall be continued until—

I. The death of the member: or

II. Six months after—

(a) the discharge of the member: or

(b) the termination of the present war—

whichever event shall first happen.

**7—**(1) The Treasurer shall pay out of the account to each  
society, as prescribed, the amount of the death claims payable  
by the society on account of the death on war service of mem-  
bers thereof in respect of whom contributions have been paid  
by the society under section six.

Treasurer to  
pay death  
claims.

(2) No payment shall be made by the Treasurer under this  
section—

I. Unless the society has paid all contributions in  
respect of the member dying on war service, as  
provided by the Act: or

II. After the expiration of six months after—

(a) the discharge of the member: or

(b) the termination of the present war—

whichever event shall first happen.

(3) For the purposes of this section, "war service"  
includes the period between the date of enlistment of a mem-  
ber and the date on which the member leaves Australia.

**8—**(1) Every society shall furnish to the Statistician, as  
prescribed, returns showing—

Returns to be  
made by  
societies.

I. The names of all members of the society who have  
enlisted or been called up for war service, together  
with the amount of death claim payable by the  
society upon the death of each such member:

II. The names of all members of the society who have  
died on war service.

(2) Every return shall be verified by statutory declaration,  
and shall contain such particulars as may be prescribed or as  
may be required by the Statistician.

(3) Every society shall furnish to the Statistician such  
evidence as to deaths of members on war service or otherwise  
as may be required by him, and when required shall submit  
its books and accounts for inspection and audit for the pur-  
poses of this Act.

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*Friendly Societies (War Service).*

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A.D. 1940.

Power to  
raise levies.

**9** All moneys payable by a society by way of contributions under this Act shall be raised by special levies from the whole of the members of the society (other than members engaged on war service), and not otherwise.

Power to  
executive  
committee to  
amend rules.

**10**—(1) In order to give effect to the provisions of this Act the executive committee of every society shall have power to make amendments to the rules of the society.

(2) Amendments of rules made as provided by this section shall be subject to the provisions of section thirteen of the *Friendly Societies Act* 1888, which are applicable thereto.

*Audit Act*  
not to apply.

**11** A society shall not, by reason of the provisions of this Act, be deemed to be a local authority within the meaning of section thirty-one of the *Audit Act* 1918.

Regulations.

**12** The Governor may make regulations for the purposes of this Act.

Termination  
of Act.

**13** This Act shall continue in operation during the continuance of the present war and for a period of six months thereafter, and no longer.