

## MINERS' PENSIONS.

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### No. 71 of 1959.

## AN ACT to amend the *Miners' Pensions Act 1956.* [9 December 1959.]

**B**E 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:—

Short title  
and citation.

**1**—(1) This Act may be cited as the *Miners' Pensions Act 1959.*

(2) The *Miners' Pensions Act 1956*, as subsequently amended, is in this Act referred to as the Principal Act.

Qualification  
for pension.

**2** Section nineteen of the Principal Act is amended by omitting subsection (2) and substituting therefor the following subsection:—

“(2) No pension shall be paid under subsection (1) of this section—

- (a) unless the Board is satisfied that the employment was not arranged solely or mainly to enable the applicant to qualify for a pension under this Act; or
- (b) in the case of a pension under paragraph (c) of that subsection, where the Board is satisfied that the applicant was suffering from the physical incapacity in respect of which he claims before he became a miner.”.

**3** After section nineteen of the Principal Act the following section is inserted:—

“19A—(1) Subject to this Act, a miner who—

- (a) has attained an age three years less than the age for retirement;
- (b) has his employment in or at a mine terminated by the owner thereof because work at the mine is being lessened or stopped; and
- (c) cannot obtain other employment as a miner,

may apply to the Board for, and be granted, a qualified pension.

“(2) A qualified pension shall be at the rate relative to the age of the applicant when his employment was terminated which is prescribed by order of the Minister.

Qualified  
pension  
on early  
retirement.

“(3) Section twenty-seven applies to orders made under subsection (2) of this section as nearly as possible as if they were made under that section.

“(4) This section applies to a person who is deemed to be a miner by virtue of paragraph (a) of subsection (2) of section three as if the termination of the tribute agreement or the dissolution of the partnership, as the case may be, were the termination of his employment by the owner.

“(5) Qualified pensions payable under this section are subject to this Act as if they were payable under section nineteen and the like consequences follow, except that all amounts payable under this Act shall be reduced by the proportionate difference between the pension which would have been payable if the miner had continued in employment until the age of retirement and the qualified pension payable under this section.

“(6) A miner who has been granted a qualified pension is subject to section five as if his age when his employment was terminated was the age for retirement.”.

**4** Section twenty-one of the Principal Act is amended by omitting from paragraph (b) of subsection (1) the words “whose death has been found to be due to injury and” <sup>Pensions to dependants.</sup>

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## LOAN FUND APPROPRIATION (No. 4).

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No. 72 of 1959.

AN ACT to authorize the issue and application of moneys from the Loan Fund, and to provide for matters incidental thereto. [9 December 1959.]

**B**E 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** This Act may be cited as the *Loan Fund Appropriation Act* (No. 4) 1959. <sup>Short title.</sup>