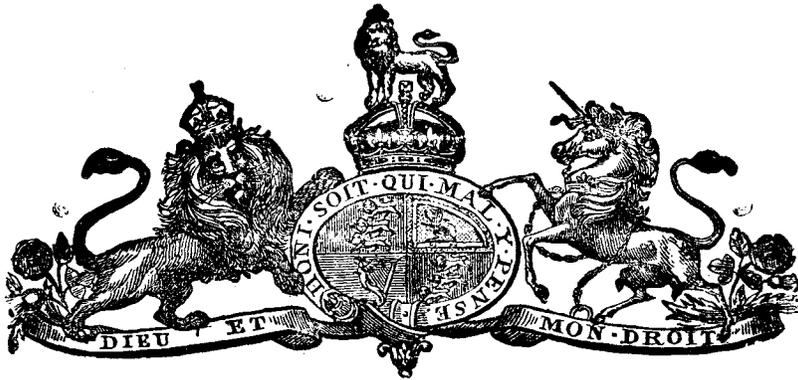


T A S M A N I A



1917.

A N N O S E P T I M O

GEORGII V. REGIS.

No. 41.

ANALYSIS.

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AN ACT to aid Friendly Societies, and for other purposes. A.D. 1917.
[8 February, 1917.]

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 This Act—

- i. May be cited as “The Aid to Friendly Societies Act, 1917,” and shall be incorporated and construed as one with “The Friendly Societies Act, 1888,” and any Act amending the same

Short title and incorporation.

Aid to Friendly Societies.

A.D. 1917.
 Commencement.
 Interpretation.

II. Shall come into operation on a date to be fixed by the Governor by Proclamation.

2 In this Act, unless the context otherwise determines—

“Death claim” means the sum of money assured or undertaken by a society to be paid to the representatives of a member on active service in the event of his death and for the payment whereof the society is liable :

“Financial member” means a member entitled, according to the rules of the society or branch of which he is a member, to the benefits provided by the rules :

“Member on active service” means a financial member of a society who has been or is, or shall hereafter become engaged on naval or military service with His Majesty’s navy or army, or under the provisions of any Act of the Parliament of the Commonwealth of Australia during the war in which His Majesty is at present engaged :

“Society” means a registered society as defined by “The Friendly Societies Act, 1888,” and includes a registered branch as defined by the last-mentioned Act :

“The Statistician” has the meaning assigned to the expression by “The Friendly Societies Act, 1888 :”

“Treasurer” means the Treasurer for the time being of the State of Tasmania.

Societies to furnish returns.

3—(1) Each society shall furnish to the Statistician, within the prescribed times, the following returns, namely :—

Return A.

I.

Return A.

- (a) The name of each of its members who has been killed or has died on active service prior to the First day of March, One thousand nine hundred and seventeen.
- (b) The date of the death of each such member.
- (c) The amount of death claim paid or payable by the society in respect of each such member.
- (d) The date when each such death claim was satisfied.

Return B.

II.

Return B.

- (a) The name of each of its members on active service on the First day of March, One thousand nine hundred and seventeen, whose death claim has been re-insured with any insurance society or company.
- (b) The name of the society or company with which such death claim has been re-insured.
- (c) The amount of each such death claim so re-insured.
- (d) The date when each such re-insurance will expire.
- (e) The amount of death claim payable by the society upon the death of each such member.

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- (f) The rank, regiment, and regimental number of each member so far as is known. A.D. 1917.

III.

Return C.

Return C.

- (a) The name of each of its members on active service on the First day of March, One thousand nine hundred and seventeen, whose death claim has not been re-insured in manner aforesaid.
- (b) The rank, regiment, and regimental number of each such member so far as is known.
- (c) The amount of death claim payable by the society upon the death of each such member.

IV.

Return D.

Return D.

Each society shall also furnish to the Statistician a quarterly return showing the names of its financial members who have enlisted for active service during the preceding quarter, with particulars as in Return C.

(2) The foregoing returns shall be verified by statutory declaration in such manner as may be prescribed or as may be required by the Statistician, and shall contain such further particulars as may from time to time be prescribed or as may be required by the Statistician.

(3) Each society shall furnish to the Statistician such evidence of any deaths or upon any other matter as he may from time to time require or as may be prescribed, and shall submit its books, documents, and accounts for such inspection and audit for the purposes of this Act as may be prescribed.

4 Each society shall be entitled to receive from the Treasurer by way of grant-in-aid local inscribed stock bearing interest at Four Pounds Ten Shillings per centum per annum, redeemable within Twenty years, for such an amount as the Statistician certifies in writing under his hand to be equal to One-half of the death claims paid or payable by such society upon the death of any of its members included in Return A, and for such an amount as the Statistician certifies in writing under his hand to be equal to One-half of the death claims paid or payable by such society upon the death of any of its members included in Return B, who may die between the First day of March, One thousand nine hundred and seventeen, and the date when the re-insurance of such member shall expire.

Local inscribed stock to be issued to societies by way of grant-in-aid.

5 The Treasurer is hereby authorised to create and issue local inscribed stock under and in the manner prescribed by "The Local Inscribed Stock Act, 1895," charged and secured upon the Consolidated Revenue, for such sum or sums of money as the Statistician shall from time to time certify to, pursuant to the provisions of the immediately preceding section of this Act.

Treasurer may issue stock on certificate of Statistician.
59 Vict. No. 6,

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Sinking fund.

6—(1) Out of the Consolidated Revenue of the State of Tasmania there shall be paid and payable such yearly sum as the Statistician shall, from time to time, certify to be necessary for the purpose of redeeming within Twenty years the whole of the local inscribed stock created and issued under Section Five of this Act, and the said yearly sum shall be paid as the Governor by any warrant under his hand orders and directs.

(2) The Treasurer shall, from time to time, apply each such yearly sum in redeeming by purchase an equivalent amount of the said stock, and such redemption shall be effected in such manner as the Treasurer may determine, or as may be prescribed.

(3) The First of such yearly sums shall be paid during the financial year commencing the First day of July, One thousand nine hundred and eighteen, and the First purchase of stock shall be made during that financial year, and thereafter annual purchases of such stock shall be made until the whole of the said stock is fully redeemed.

Redemption of loan.

Rate of interest.

7 The local inscribed stock issued pursuant to Section Five of this Act shall be redeemable not later than the First day of July, One thousand nine hundred and thirty-seven, and shall bear interest at the rate of Four Pounds Ten Shillings per centum per annum, payable half-yearly on the First day of January and the First day of July in every year.

Account to be opened in Treasury.

8 An account to be called "The Friendly Societies War Claims Account," or to be given such other designation as the Treasurer may determine, shall be opened in the books of the Treasurer. All payments received from the societies shall be paid to the credit of this account.

All payments due to the societies shall be paid out of this account.

Any loss made by the Treasurer shall be borne by the Consolidated Revenue.

Any surplus remaining after the said account is finally closed may be distributed amongst the societies in such proportions and in such manner as the Treasurer, after receiving a report from the Registrar, may deem just and equitable, or may be applied as Parliament may, by resolution of both Houses, determine.

Premiums payable by societies.

9 Each society shall pay to the Treasurer from time to time for payment into the said account, premiums at the rate of Four Pounds per centum per annum upon the total death claims shown to be payable by the society upon the death of its members on active service included in Returns B, C, and D.

Premiums to be payable in advance.

10 Such premiums shall be deemed payable in advance as from the following dates :—

1. In respect of each member whose name is included in Return B as from the date of the expiry of the re-insurance effected upon his life :

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- ii. In respect of each member whose name is included in Return C, as from the First day of March, One thousand nine hundred and seventeen : A.D. 1917.
- iii. In respect of each member whose name is included from time to time in Return D as from the date of enlistment.
- 11** The payment of such premiums shall be continued in respect of each member whose name is included in Returns B, C, and D, until— Continuanee of payment of premiums.
- i. The death of the member ; or
 - ii. Six months after he has been discharged if he shall have left Australia on active service, or One month after he has been discharged if he shall be discharged without having left Australia on active service ; or
 - iii. Six months after the termination of the present war—
- whichever event shall first happen.
- 12** Subject to Section Thirteen hereof the Treasurer shall pay each society the amount of the death claims payable by such society upon the death of any member whose name appears in Return B, C, or D, and on whose account a premium has been duly paid to the Treasurer by the society in advance in manner aforesaid. Payment of death claims by Treasurer.
- 13** The liability of the State in respect of the death of any member under this agreement shall commence when the premium payable by the society in respect of such member has been received by the Treasurer, shall continue so long as such premium is duly paid, and shall cease at the expiration of Six months from the termination of the present war, and in respect of any member who may be discharged prior to such determination at the expiration of Six months from such discharge if he shall have left Australia on active service, or at the expiration of One month from such discharge if he shall not have left Australia on active service. Duration of liability of State.
- 14** A society shall not be entitled to be refunded any moneys paid or payable by way of premiums in respect of any member who may die or be discharged during the currency of the term for which such premiums shall have been paid in advance. Premiums not to be refunded.
- 15** All moneys payable by a society by way of premiums under this Act shall be raised by special levies from the whole of its members and in no other way. Premiums to be raised by special levies.
- 16** All payments made out of any of its funds before the commencement of this Act by any society for re-insurance of its liability in whole or in part to any member on active service are hereby declared to be legal and valid. Validation of payments made by societies,

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Regulations.

17 The Governor may make all such regulations as he deems necessary or convenient for carrying this Act into effect, and may, by any regulation, prescribe penalties not exceeding Ten Pounds, to be recoverable summarily for any contravention of any regulation.

Audit Act not to
apply.

18 Notwithstanding the provisions of this Act, friendly societies shall not be deemed to be "Local Authorities" within the meaning of Section Thirty-six of "The Audit Act, 1901."