

## Motherhood Endowment Bill.

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The following illustrations of varying payments will, it is hoped, assist to an understanding of the main provisions of the Bill. In all cases hereunder the children referred to are under 14 years of age.

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### 1. Wife, husband, and four children—

Combined income ...	...	...	...	£3 7 0
Living wage ...	...	...	...	£4 5 0
Two children at 6s. ...	...	...	...	0 12 0
				£4 17 0
Amount ascertained ...	...	...	...	£4 17 0

The endowment payable to the mother is the difference between £4 5s. and £4 17s., namely, 12s.

### 2. Wife, husband, and five children—

Combined income ...	...	...	...	£5 5 0
Living wage ...	...	...	...	£4 5 0
Three children at 6s. ...	...	...	...	0 18 0
				£5 3 0
Amount ascertained ...	...	...	...	£5 3 0

As the combined income is £5 5s. no endowment is payable.

### 3. Wife, husband, and seven children—

Combined income ...	...	...	...	£3 0 0
Living wage ...	...	...	...	£4 5 0
Five children at 6s. ...	...	...	...	1 10 0
				£5 15 0
Amount ascertained ...	...	...	...	£5 15 0

The endowment payable to the mother is the difference between £4 5s. and £5 15s., namely, £1 10s.

**4. Wife, husband, and eight children—**

Combined income ... ..	£4 15 0
Living wage ... ..	£4 5 0
Six children at 6s. ... ..	1 16 0
	<hr/>
Amount ascertained ... ..	£6 1 0

The endowment payable to the mother is the difference between £4 15s. and £6 1s., namely, £1 6s.

**5. Wife, husband, and ten children—**

Combined income ... ..	£5 15 0
Living wage ... ..	£4 5 0
Eight children at 6s. ... ..	2 8 0
	<hr/>
Amount ascertained ... ..	£6 13 0

The endowment payable to the mother is the difference between £5 15s. and £6 13s., namely, 18s.

**6. Husband (invalidity pensioner), wife, and five children—**

Combined income (husband's pension)... ..	£0 15 0
Living wage ... ..	£4 5 0
Three children at 6s. ... ..	0 18 0
	<hr/>
Amount ascertained ... ..	£5 3 0

The endowment payable to the mother in this case is 18s.

This is a type of case which would still require assistance from some charitable vote, say, the Chief Secretary's Department.

**7. A widow with one or more living children will receive 10s. per week for her own use.**

**8. A widow with no children will receive nothing under the Bill.**

**9. A deserted wife is placed by the Bill on the same basis as a widow.**

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,  
and, having this day passed, is now ready for presentation to the  
LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,  
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,  
Sydney, 22 November, 1921.

## New South Wales.



ANNO DUODECIMO

# GEORGII V REGIS.

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Act No. , 1921.

An Act to provide for the endowment of mother-  
hood by making payments to mothers and  
other persons in certain cases; to amend  
certain Acts; and for purposes connected  
therewith.

BE it enacted by the King's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative Council and Legislative Assembly of New South  
Wales in Parliament assembled, and by the authority  
5 of the same, as follows:—

1. This Act may be cited as the "Motherhood Short title.  
Endowment Act, 1921."

*Motherhood Endowment.*

**2.** This Act shall come into operation on a date to be proclaimed by the Governor, being not later than the first day of July, one thousand nine hundred and twenty-two, and published in the Gazette.

Commence-  
ment of Act.

**3.** In this Act, unless the context otherwise requires,—

Interpreta-  
tion.

“Board of Trade” means the New South Wales Board of Trade as constituted by the Acts relating to industrial arbitration.

“Child” means child under fourteen years of age.

**10** “Living wage” means living wage fixed and declared by the Board of Trade or any person or authority authorised by the Minister in that behalf, if required by the Minister to do so.

**15** “Minister” means Minister for Public Health and Motherhood or Minister for the time being administering this Act.

“Prescribed” means prescribed by this Act or by any regulation or order made thereunder.

**4.** (1) Subject to the provisions of this Act every mother of three or more children who are living, shall be entitled to be paid, in respect of each child other than the first two, a sum of six shillings per week, to be applied for or towards the maintenance of such child.

Payment to  
mothers.

(2) Where the income of the mother, or the combined income of the mother and her husband, is equal to or in excess of an amount, to be ascertained by adding to the living wage for the time being payable per week to male employees the sum of six shillings in respect of every child of such mother other than the first two, no payment shall be made under this section, and where such income is less than the amount so ascertained, no payment shall be made under this section either in excess of six shillings per week in respect of each child other than the first two or in excess of the difference between such income and the amount so ascertained.

(3) No payment shall be made under this section to a mother in respect of any child who is not maintained by the mother, or by the mother and her husband.

(4)

*Motherhood Endowment.*

(4) Where payment has been made under this section to a mother, who afterwards dies, the Minister may direct that any moneys which such mother, if alive, would have been entitled to receive in respect of any  
5 child, shall be paid, wholly or in part, to some person approved of by the Minister.

(5) Any moneys paid in pursuance to such direction shall be applied by such person for or towards the maintenance of such child. Any such direction may  
10 be varied, or such payments may be terminated by the Minister.

**5.** (1) Subject to the provisions of this Act every widow who is the mother of one or more children living, shall be entitled to be paid a sum of ten shillings  
15 per week for her own use. Payment to widows.

(2) Where the income of a widow is equal to or in excess of an amount, to be ascertained by adding to the living wage for the time being payable per week to female employees a sum of six shillings in respect of  
20 every child of such widow, no payment shall be made under this section, and where her income is less than the amount so ascertained, no payment shall be made under this section either in excess of any sum payable under subsection one of this section or in excess of  
25 the difference between such income and the amount so ascertained.

(3) No payment shall be made under this section to a widow in respect of any child who is not maintained by her.

30 (4) In this Act the term "widow" shall be deemed to include a mother whose husband is not supporting her, or is confined in an institution for the insane, or is incapacitated for work by physical or mental infirmity, or is undergoing a term of imprisonment: Provided  
35 that it is proved to the satisfaction of the Minister that such failure to support, confinement, incapacity, or term of imprisonment has continued for a period of not less than one month immediately prior to the date of any application for payment.

40 (5) A widow shall not be entitled to any payment under section four.

*Motherhood Endowment.*

**6.** (1) Where it is proved to the satisfaction of the Minister that any illegitimate child, who is under fourteen years of age, is without adequate means of support, the Minister may direct payment to be made to the mother of such child, or to some person approved of by him, of a sum not exceeding ten shillings per week in respect of every such child.

Payment in respect of illegitimate children.

(2) Any moneys paid in pursuance to such direction shall be applied by such mother or person for or towards the maintenance of such child. Any such direction may be varied, or such payments may be terminated by the Minister.

**7.** (1) Benefits or sick pay received during illness by any person from the funds or under the rules of a friendly society shall not be deemed, for the purpose of section four or section six, to be part of the income of such person, but the income of a person, for the purpose of the said sections, shall be deemed to include five per centum of the capital value, as assessed in the manner prescribed, of any land or buildings owned and used, or used rent free by such person :

Calculation of income.

Provided that in the calculation of the income of a person under any such assessment, a deduction may be made of any interest paid by such person during the period prescribed on a mortgage of such land or buildings.

(2) For the purpose of determining the income of a person, a calculation may be made of the income which such person has received or was entitled to receive during such period as may be prescribed, including the value of any board or lodging given to such person in part payment of wages or otherwise.

**8.** A sum of six shillings per week shall be paid to the person in charge of every orphanage in respect of each child who is being maintained by the orphanage. For the purpose of this Act the term "orphanage" includes every asylum or charitable institution which makes provision for the maintenance of children, and which the Governor by notification in the Gazette declares to be an orphanage for the purposes of this Act.

Payments in respect of children in an orphanage.

*Motherhood Endowment.*

**9.** No payment shall be made in respect of any child, if and so long as any payment is made, for or towards the maintenance of such child, under the State Children Relief Act, 1901, or the Deserted Wives and Children Act, 1901, or the Infant Protection Act, 1904, or any Acts amending the same.

No payment to be made in respect of a child in certain cases.

**10.** No payment shall be made to any mother or widow—

No payment to a mother or widow in certain cases.

(a) unless such mother or widow is British born, or is the wife or widow of a person who is or was British born, or is or was a naturalized British subject; or

(b) if such mother or widow has not been a bona fide resident of the State for a period of two years immediately prior to the date of each application for payment.

**11.** (1) Any mother or widow—

Payments to cease in certain cases.

(a) who is convicted of an offence against this Act or any regulation or order made thereunder; or

(b) who fails at any time, when so required, to satisfy the Minister—

(i) that she is a person of good character and repute; or

(ii) that she is not incapacitated by physical or mental infirmity from discharging the duties incident to the care, control, and management of a child; or

(iii) that she is expending to his satisfaction moneys paid to her under this Act,

shall, unless the Minister otherwise orders, cease forthwith to be entitled to further payments thereunder.

(2) In any such case the Minister may in his discretion direct that any moneys, which the mother or widow would otherwise have been entitled to receive, shall be paid, wholly or in part, to some person approved of by the Minister. Any such direction may be varied, or such payments may be terminated by the Minister.

**12.** (1) All applications for payment shall be made in the form, within the time, at the place, and in the manner prescribed, and shall be accompanied by such proof or verified in such manner as may be prescribed.

Applications for payment.

(2)

*Motherhood Endowment.*

(2) No payment shall be made unless and until such proof or verification shall have been accepted as satisfactory by the Minister, or by some person authorised by him in that behalf.

5 **13.** All payments shall be made at such times and in such manner as may be prescribed. Time and manner of payment.

**14.** Any person who—

10 (1) refuses to answer, or knowingly makes a false or misleading answer to, any relevant question put to him by the Minister, or by any person in the exercise of duties and powers entrusted to him under this Act; or Offences and penalties.

15 (2) knowingly signs or delivers, or causes to be signed or delivered, any document containing any false or misleading statement as to any relevant matter; or

(3) fraudulently obtains, or attempts to obtain, payment of any moneys under this Act, shall be guilty of an offence against this Act, and shall 20 be liable to a penalty not exceeding fifty pounds, or to imprisonment for any term not exceeding six months, or to both penalty and imprisonment.

**15.** (1) The administration of this Act is vested in the Minister. Minister administer Act.

25 (2) Notwithstanding anything contained in any other Act, any appointment of officers or servants required to be made for the purpose of this Act shall be made by the Minister.

30 **16.** All sums payable under this Act, and all expenses of and incidental to the administration thereof, shall be paid out of funds to be appropriated by Parliament for the purposes of this Act. Provision for payment of expenses of administration.

35 **17.** The Minister shall, after the close of each financial year, prepare or cause to be prepared a statement of all moneys expended under this Act and a report as to the working thereof, and shall lay such statement and report before both Houses of Parliament as soon as practicable after the meeting of Parliament. Minister to lay before Parliament an annual statement and report.

40 **18.** The Board of Trade, or any person authorised by the Minister in that behalf, if required by the Minister to do so, shall from time to time report to the Minister whether Sums payable per week in respect of children may be varied.



*Motherhood Endowment.*

whether, having regard to the cost of living at the date of such report, the sum of six shillings per week payable in respect of children, under sections four, six, and nine, should be increased or reduced, and shall fix and recommend the sum which, in the opinion of the board or such person, should thereafter be payable under the said sections, and may fix and recommend different sums to be payable in respect of children other than the first or third, as the case may be, and the sum or sums so fixed and recommended, if the Minister so determines, shall thereupon be payable, subject to the provisions of this Act, in substitution for the said sum of six shillings per week referred to in the said sections.

**19.** Any payment made under this Act in respect of any child who, in the opinion of the senior medical officer of the Board of Health, is permanently incapacitated, may be continued, subject to the approval of the Minister, until such child attains the age of sixteen years.

**20.** No order shall be made by any court or justice for the attachment of any sum payable to any person under this Act.

**21.** (1) The Governor may, subject to this Act, make such regulations or orders, whether general or to meet particular cases, as may be necessary or convenient for administering and carrying into effect the purposes of this Act.

(2) Such regulations and orders may fix a penalty not exceeding twenty pounds, or imprisonment for any term not exceeding three months, for any breach thereof. Any such penalty may be recovered before, or any such imprisonment may be imposed by, any stipendiary or police magistrate, or any two justices in petty sessions.

(3) Such regulations or orders may be made prior to the commencement of this Act, but shall not take effect prior to the date of such commencement.

(4) All such regulations and orders shall be published in the Gazette, and if not disallowed as hereinafter provided shall have the force of law.

(5) All such regulations and orders on being gazetted shall be laid before both Houses of Parliament within

Payment to child who is permanently incapacitated.

Sum payable not to be attached.

Regulations and orders.

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*Motherhood Endowment.*

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within fourteen days if Parliament is then sitting, and if Parliament is not then sitting, within fourteen days after the next meeting of Parliament. But if either House of Parliament passes a resolution, of which notice has been given at any time within fifteen sitting days after such regulations or orders have been laid before such House, disallowing any regulation or order, or any part thereof, such regulation or order, or part thereof, shall thereupon cease to have effect.

- 10 **22.** Stamp duty shall not be payable in respect of any affidavit, receipt, or declaration made for the purpose of this Act.

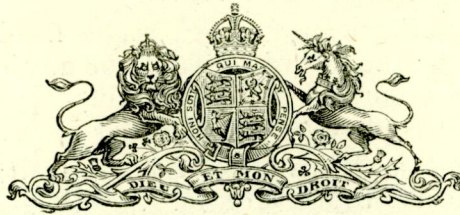
Stamp duty  
not payable  
on affidavits or  
declarations.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,  
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,  
Sydney, 22 November, 1921.

## New South Wales.



ANNO DUODECIMO

# GEORGII V REGIS.

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Act No. , 1921.

An Act to provide for the endowment of motherhood by making payments to mothers and other persons in certain cases; to amend certain Acts; and for purposes connected therewith.

**B**E it enacted by the King'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.** This Act may be cited as the "Motherhood Endowment Act, 1921." Short title.

*Motherhood Endowment.*

**2.** This Act shall come into operation on a date to be proclaimed by the Governor, being not later than the first day of July, one thousand nine hundred and twenty-two, and published in the Gazette.

Commence-  
ment of Act.

**3.** In this Act, unless the context otherwise requires,—

Interpreta-  
tion.

“Board of Trade” means the New South Wales Board of Trade as constituted by the Acts relating to industrial arbitration.

“Child” means child under fourteen years of age.

**10** “Living wage” means living wage fixed and declared by the Board of Trade or any person or authority authorised by the Minister in that behalf, if required by the Minister to do so.

**15** “Minister” means Minister for Public Health and Motherhood or Minister for the time being administering this Act.

“Prescribed” means prescribed by this Act or by any regulation or order made thereunder.

**20** **4.** (1) Subject to the provisions of this Act every mother of three or more children who are living, shall be entitled to be paid, in respect of each child other than the first two, a sum of six shillings per week, to be applied for or towards the maintenance of such child.

Payment to  
mothers.

**25** (2) Where the income of the mother, or the combined income of the mother and her husband, is equal to or in excess of an amount, to be ascertained by adding to the living wage for the time being payable per week to male employees the sum of six shillings in respect of every child of such mother other than the

**30** first two, no payment shall be made under this section, and where such income is less than the amount so ascertained, no payment shall be made under this section either in excess of six shillings per week in respect of each child other than the first two or in

**35** excess of the difference between such income and the amount so ascertained.

(3) No payment shall be made under this section to a mother in respect of any child who is not maintained by the mother, or by the mother and her husband.

(4)

*Motherhood Endowment.*

(4) Where payment has been made under this section to a mother, who afterwards dies, the Minister may direct that any moneys which such mother, if alive, would have been entitled to receive in respect of any  
5 child, shall be paid, wholly or in part, to some person approved of by the Minister.

(5) Any moneys paid in pursuance to such direction shall be applied by such person for or towards the maintenance of such child. Any such direction may  
10 be varied, or such payments may be terminated by the Minister.

**5.** (1) Subject to the provisions of this Act every <sup>Payment to widows.</sup> widow who is the mother of one or more children living, shall be entitled to be paid a sum of ten shillings  
15 per week for her own use.

(2) Where the income of a widow is equal to or in excess of an amount, to be ascertained by adding to the living wage for the time being payable per week to female employees a sum of six shillings in respect of  
20 every child of such widow, no payment shall be made under this section, and where her income is less than the amount so ascertained, no payment shall be made under this section either in excess of any sum payable  
25 under subsection one of this section or in excess of the difference between such income and the amount so ascertained.

(3) No payment shall be made under this section to a widow in respect of any child who is not maintained by her.

30 (4) In this Act the term "widow" shall be deemed to include a mother whose husband is not supporting her, or is confined in an institution for the insane, or is incapacitated for work by physical or mental infirmity, or is undergoing a term of imprisonment: Provided  
35 that it is proved to the satisfaction of the Minister that such failure to support, confinement, incapacity, or term of imprisonment has continued for a period of not less than one month immediately prior to the date of any application for payment.

40 (5) A widow shall not be entitled to any payment under section four.

*Motherhood Endowment.*

**6.** (1) Where it is proved to the satisfaction of the Minister that any illegitimate child, who is under fourteen years of age, is without adequate means of support, the Minister may direct payment to be made to the mother of such child, or to some person approved by him, of a sum not exceeding ten shillings per week in respect of every such child.

Payment in respect of illegitimate children.

(2) Any moneys paid in pursuance to such direction shall be applied by such mother or person for or towards the maintenance of such child. Any such direction may be varied, or such payments may be terminated by the Minister.

**7.** (1) Benefits or sick pay received during illness by any person from the funds or under the rules of a friendly society shall not be deemed, for the purpose of section four or section six, to be part of the income of such person, but the income of a person, for the purpose of the said sections, shall be deemed to include five per centum of the capital value, as assessed in the manner prescribed, of any land or buildings owned and used, or used rent free by such person :

Calculation of income.

Provided that in the calculation of the income of a person under any such assessment, a deduction may be made of any interest paid by such person during the period prescribed on a mortgage of such land or buildings.

(2) For the purpose of determining the income of a person, a calculation may be made of the income which such person has received or was entitled to receive during such period as may be prescribed, including the value of any board or lodging given to such person in part payment of wages or otherwise.

**8.** A sum of six shillings per week shall be paid to the person in charge of every orphanage in respect of each child who is being maintained by the orphanage. For the purpose of this Act the term "orphanage" includes every asylum or charitable institution which makes provision for the maintenance of children, and which the Governor by notification in the Gazette declares to be an orphanage for the purposes of this Act.

Payments in respect of children in an orphanage.

*Motherhood Endowment.*

**9.** No payment shall be made in respect of any child, if and so long as any payment is made, for or towards the maintenance of such child, under the State Children Relief Act, 1901, or the Deserted Wives and Children Act, 1901, or the Infant Protection Act, 1904, or any Acts amending the same. No payment to be made in respect of a child in certain cases.

**10.** No payment shall be made to any mother or widow— No payment to a mother or widow in certain cases.

(a) unless such mother or widow is British born, or is the wife or widow of a person who is or was British born, or is or was a naturalized British subject; or

(b) if such mother or widow has not been a bona fide resident of the State for a period of two years immediately prior to the date of each application for payment.

**11.** (1) Any mother or widow—

(a) who is convicted of an offence against this Act or any regulation or order made thereunder; or Payments to cease in certain cases.

(b) who fails at any time, when so required, to satisfy the Minister—

(i) that she is a person of good character and repute; or

(ii) that she is not incapacitated by physical or mental infirmity from discharging the duties incident to the care, control, and management of a child; or

(iii) that she is expending to his satisfaction moneys paid to her under this Act,

shall, unless the Minister otherwise orders, cease forthwith to be entitled to further payments thereunder.

(2) In any such case the Minister may in his discretion direct that any moneys, which the mother or widow would otherwise have been entitled to receive, shall be paid, wholly or in part, to some person approved of by the Minister. Any such direction may be varied, or such payments may be terminated by the Minister.

**12.** (1) All applications for payment shall be made in the form, within the time, at the place, and in the manner prescribed, and shall be accompanied by such proof or verified in such manner as may be prescribed. Applications for payment.

(2)

*Motherhood Endowment.*

(2) No payment shall be made unless and until such proof or verification shall have been accepted as satisfactory by the Minister, or by some person authorised by him in that behalf.

5 **13.** All payments shall be made at such times and in such manner as may be prescribed. Time and manner of payment.

**14.** Any person who—

10 (1) refuses to answer, or knowingly makes a false or misleading answer to, any relevant question put to him by the Minister, or by any person in the exercise of duties and powers entrusted to him under this Act; or

15 (2) knowingly signs or delivers, or causes to be signed or delivered, any document containing any false or misleading statement as to any relevant matter; or

(3) fraudulently obtains, or attempts to obtain, payment of any moneys under this Act, shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding fifty pounds, or to imprisonment for any term not exceeding six months, or to both penalty and imprisonment.

**15.** (1) The administration of this Act is vested in the Minister. Minister administer Act.

25 (2) Notwithstanding anything contained in any other Act, any appointment of officers or servants required to be made for the purpose of this Act shall be made by the Minister.

30 **16.** All sums payable under this Act, and all expenses of and incidental to the administration thereof, shall be paid out of funds to be appropriated by Parliament for the purposes of this Act. Provision for payment of expenses of administration.

35 **17.** The Minister shall, after the close of each financial year, prepare or cause to be prepared a statement of all moneys expended under this Act and a report as to the working thereof, and shall lay such statement and report before both Houses of Parliament as soon as practicable after the meeting of Parliament. Minister to lay before Parliament an annual statement and report.

40 **18.** The Board of Trade, or any person authorised by the Minister in that behalf, if required by the Minister to do so, shall from time to time report to the Minister whether Sums payable per week in respect of children may be varied.



*Motherhood Endowment.*

whether, having regard to the cost of living at the date of such report, the sum of six shillings per week payable in respect of children, under sections four, six, and nine, should be increased or reduced, and shall fix and recommend the sum which, in the opinion of the board or such person, should thereafter be payable under the said sections, and may fix and recommend different sums to be payable in respect of children other than the first or third, as the case may be, and the sum or sums so fixed and recommended, if the Minister so determines, shall thereupon be payable, subject to the provisions of this Act, in substitution for the said sum of six shillings per week referred to in the said sections.

**19.** Any payment made under this Act in respect of any child who, in the opinion of the senior medical officer of the Board of Health, is permanently incapacitated, may be continued, subject to the approval of the Minister, until such child attains the age of sixteen years.

Payment to child who is permanently incapacitated.

**20.** No order shall be made by any court or justice for the attachment of any sum payable to any person under this Act.

Sum payable not to be attached.

**21.** (1) The Governor may, subject to this Act, make such regulations or orders, whether general or to meet particular cases, as may be necessary or convenient for administering and carrying into effect the purposes of this Act.

Regulations and orders.

(2) Such regulations and orders may fix a penalty not exceeding twenty pounds, or imprisonment for any term not exceeding three months, for any breach thereof. Any such penalty may be recovered before, or any such imprisonment may be imposed by, any stipendiary or police magistrate, or any two justices in petty sessions.

(3) Such regulations or orders may be made prior to the commencement of this Act, but shall not take effect prior to the date of such commencement.

(4) All such regulations and orders shall be published in the Gazette, and if not disallowed as hereinafter provided shall have the force of law.

(5) All such regulations and orders on being gazetted shall be laid before both Houses of Parliament within

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*Motherhood Endowment.*

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- within fourteen days if Parliament is then sitting, and if Parliament is not then sitting, within fourteen days after the next meeting of Parliament. But if either House of Parliament passes a resolution, of which
- 5 notice has been given at any time within fifteen sitting days after such regulations or orders have been laid before such House, disallowing any regulation or order, or any part thereof, such regulation or order, or part thereof, shall thereupon cease to have effect.
- 10 **22.** Stamp duty shall not be payable in respect of any affidavit, receipt, or declaration made for the purpose of this Act.

Stamp duty  
not payable  
on affidavits or  
declarations.