

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 11 April, 1935.

New South Wales.



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. 36, 1935.

An Act to amend the Friendly Societies Act, 1912-1932, in certain respects; and for purposes connected therewith. [Assented to, 11th April, 1935.]

BE 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. (1) This Act may be cited as the "Friendly Societies (Amendment) Act, 1935." Short title.

(2) The Friendly Societies Act, 1912-1932, as amended by this Act, may be cited as the Friendly Societies Act, 1912-1935.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Friendly Societies (Amendment).

Amendment
of Act No. 46,
1912.

2. (1) The Friendly Societies Act, 1912-1932, is amended—

Sec. 10.
(Compul-
sory regis-
tration of
certain
societies.)

(a) by inserting in subsection one of section ten after the word "following" the word "friendly";

(b) by inserting next after the same subsection the following new subsection:—

(1A) Nothing in this section shall be deemed to require or authorise the registration of any society the objects of which include any object which is not the provision of any one or more of the benefits set out in subsection one of this section or otherwise authorised by this Act.

(c) by inserting in subsection two of the same section after the words "such society or branch" the words "to which subsection one of this section extends."

Amendment of
Act No. 72,
1931.
(Revision.)

(2) The Friendly Societies (Further Amendment) Act, 1931, is amended by omitting subparagraph one of paragraph (a) of subsection one of section three.

Further
amendment of
Act No. 46,
1912.

3. (1) The Friendly Societies Act, 1912-1932, is further amended—

Substituted
s. 19.

(a) by omitting section nineteen and by inserting in lieu thereof the following section:—

Tables of
contribu-
tions.

19. (1) A society established for the purpose of providing by subscriptions of the members thereof, with or without the aid of donations, for any of the benefits enumerated or referred to in paragraph (a), paragraph (c) or paragraph (e) of subsection one of section ten of this Act, shall not be entitled to registry unless the tables of contributions payable for such kinds of benefits in accordance with the rules of the society, certified under the hand of an actuary who has exercised his profession for at least five years, are transmitted to the Registrar, together with the copies of the rules as aforesaid.

Friendly Societies (Amendment).

(2) No amendment of the rules of any registered society or branch relating to contributions payable for any such benefit, shall be registered unless the table of contributions payable for such kind of benefit, certified under the hand of an actuary who has exercised his profession for at least five years has been transmitted to the Registrar, together with copies of the rules as aforesaid.

(b) by inserting next after section twenty-five the following new section:—

New s. 25A.

25A. (1) Where a society established for the purpose of providing by subscriptions of the members thereof, with or without the aid of donations, for any of the benefits enumerated or referred to in paragraph (a), paragraph (c) or paragraph (e) of subsection one of section ten of this Act, was registered at the commencement of the Friendly Societies (Amendment) Act, 1935, and the rules thereof in force at such commencement do not contain tables of contributions payable for such kinds of benefits or do not contain tables of contributions payable for such kinds of benefits certified under the hand of an actuary who had, at the date upon which they were so certified, exercised his profession for at least five years, the society shall, within a period of twelve months after such commencement, amend its rules so as to include tables of contributions for such kinds of benefits certified under the hand of an actuary who has exercised his profession for at least five years.

Cancellation of registry if no certified tables of contributions embodied in rules.

If any such society does not within the said period so amend its rules the Registrar shall, by writing under his hand cancel the registry of such society.

(2) The provisions of subsections four and five of section twenty-five of this Act shall mutatis mutandis apply to and in respect of the cancellation

Friendly Societies (Amendment).

cancellation, under this section, of the registry of a society, and the effect of such cancellation.

(c) by omitting subsection two of section one hundred and four.

(d) by inserting in the matter relating to Part II in section one after the figures "25" the figures and letter "25A."

Sec. 104.
(Name of society—use of words "unassured benefit.")
Sec. 1.
(Revision.)
Further amendment of Act No. 72, 1931, s. 3 (1) (i).

(2) The Friendly Societies (Further Amendment) Act, 1931, is further amended by omitting paragraph (i) of subsection one of section three.

Further amendment of Act No. 46, 1912.

4. The Friendly Societies Act, 1912–1932, is further amended—

Sec. 28.
(Payment of expenses of management.)

(a) by omitting from subsection two of section thirty-eight the words "and one-half" wherever occurring;

Sec. 39.
(Investment of funds.)

(b) by omitting paragraph (a) of subsection one of section thirty-nine and by inserting in lieu thereof the following paragraph:—

(a) In the Commonwealth Savings Bank of Australia or in the Rural Bank of New South Wales; or

Further amendment of Act No. 46, 1912.

5. The Friendly Societies Act, 1912–1932, is further amended—

Sec. 73.
(Reference of dispute to registrar.)

(a) (i) by omitting from subsection one of section seventy-three the words "unless the rules of such society or branch expressly forbid it";

(ii) by inserting at the end of the same subsection the words "but no such reference shall be made unless and until every effort has been made to have the dispute decided in the manner directed by the rules of the society or branch";

(iii) by omitting from subsection two of the same section the words "with the consent of the Chief Secretary";

(b)

Friendly Societies (Amendment).

(b) by omitting section seventy-four and by inserting in lieu thereof the following section:— Substituted s. 74.

74. Notwithstanding anything contained in section seventy-three of this Act where the rules of a registered society or branch direct a manner in which disputes are to be decided, and recourse is had to the same, and Reference of dispute to registrar in cases of delay.

- (a) the dispute is not, within twenty-one days after application by any party to the dispute, set down for hearing before the tribunal constituted by or under the rules of the society for the determination of the dispute; or
- (b) any appeal against the determination of any tribunal is not, within twenty-one days after application by any party to the dispute, set down for hearing before the tribunal constituted by or under the rules of the society for the determination of such appeal; or
- (c) a decision in regard to the dispute or appeal is not given within twenty-one days after the last day of the hearing by the appropriate tribunal of the dispute or appeal,

any party to the dispute may refer the dispute to the Registrar, and the Registrar may hear and determine the dispute, and his decision shall be final.

6. (1) The Friendly Societies Act, 1912-1932, is further amended— Further amendment of Act No. 46, 1912.

(a) (i) by omitting from paragraph (b) of subsection three of section eighty-one the words "and who had been a member of the society for a continuous period of fifteen years in respect of any benefit for which she was eligible by the rules of the society," and by inserting Sec. 81. (Subvention payable after 30th June, 1932.)

Friendly Societies (Amendment).

inserting in lieu thereof the words "in respect of any benefit for which such widow or widowed mother may be eligible as such under the rules of the society, but such payment shall be made only when the period during which such widow or widowed mother has been so eligible, added to the period of membership of the deceased member in question, amounts to a continuous period of at least fifteen years";

- (ii) by inserting at the end of the same subsection the following proviso:—

Provided further that a payment under this section shall be made in respect of the benefit of medical attendance and medicine on account of every person in respect of whom a payment is made under paragraph (a) of this subsection in respect of sickness benefit or funeral donation, notwithstanding that such persons may not have been contributing for or eligible to receive such first-mentioned benefit at the times referred to in that paragraph.

- (b) by inserting next after the same subsection the following new subsection:—

(4) The payments to any one or more societies under this section in respect of the funeral donation or donations of any one person shall not exceed the sum payable in respect of a funeral donation of fifty pounds, and if claim is made in respect of contributions for a donation or donations in excess of such amount the amount payable as subvention shall be paid to such societies and in such proportions as the Registrar may deem equitable.

(2) The amendments made by this section shall be deemed to have commenced on the thirtieth day of June, one thousand nine hundred and thirty-two.

In the name and on behalf of His Majesty I assent to this Act.

A. HORE-RUTHVEN,
Governor.

Government House,
Sydney, 11th April, 1935.

Section 101 (a) (1) (A) (i) (I)

The term "widow" in section 101 (a) (1) (A) (i) (I) means a surviving spouse who is entitled to a widow's annuity under the Social Security Act.

(2) The amount of the annuity shall be determined in accordance with the provisions of section 101 (a) (1) (A) (i) (II).

In the event of a total disability, the annuity shall be paid to the beneficiary named in the will of the insured.

JOHN B. BURNETT
Governor

Passed by the Legislature
February 17, 1954

I certify that the following is a true and correct copy of the original as the same appears in the Legislative Assembly, the Executive Council and the Honorary Board of the South Wales

Legislative Assembly
Honorary Board of the Legislative Assembly
Legislative Assembly
Honorary Board of the Legislative Assembly

Printed and Published by the Government Printer, Sydney

1. (1) The Act shall be known as the "Friendly Societies (Amendment) Act, 1913" and shall be read as if it contained the following provisions:—
(2) The Friendly Societies Act, 1912, as amended by the Act, 1913, shall be read as if it contained the following provisions:—

I have examined the Bill and find that it is in conformity with the provisions of the Act, 1913, and that it is a true and correct copy of the original as the same appears in the Legislative Assembly, the Executive Council and the Honorary Board of the South Wales

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. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 29 March, 1935.

New South Wales



ANNO VICESIMO QUINTO

GEORGII V REGIS.

Act No. , 1935.

An Act to amend the Friendly Societies Act, 1912-1932, in certain respects; and for purposes connected therewith.

BE 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:—

5 **1.** (1) This Act may be cited as the "Friendly Societies (Amendment) Act, 1935." Short title.

10 (2) The Friendly Societies Act, 1912-1932, as amended by this Act, may be cited as the Friendly Societies Act, 1912-1935.

Friendly Societies (Amendment).

2. (1) The Friendly Societies Act, 1912-1932, is amended— Amendment of Act No. 46, 1912.

(a) by inserting in subsection one of section ten after the word "following" the word "friendly"; Sec. 10. (Compulsory registration of certain societies.)

5 (b) by inserting next after the same subsection the following new subsection:—

10 (1A) Nothing in this section shall be deemed to require or authorise the registration of any society the objects of which include any object which is not the provision of any one or more of the benefits set out in subsection one of this section or otherwise authorised by this Act.

15 (c) by inserting in subsection two of the same section after the words "such society or branch" the words "to which subsection one of this section extends."

(2) The Friendly Societies (Further Amendment) Act, 1931, is amended by omitting subparagraph one of paragraph (a) of subsection one of section three. Amendment of Act No. 72, 1931. (Revision.)

20 3. (1) The Friendly Societies Act, 1912-1932, is further amended— Further amendment of Act No. 46, 1912.

(a) by omitting section nineteen and by inserting in lieu thereof the following section:— Substituted s. 19.

25 19. (1) A society established for the purpose of providing by subscriptions of the members thereof, with or without the aid of donations, for any of the benefits enumerated or referred to in paragraph (a), paragraph (c) or paragraph (e) of subsection one of section ten of this Act, shall not be entitled to registry unless the tables of contributions payable for such kinds of benefits in accordance with the rules of the society, certified under the hand of an actuary who has exercised his profession for at least five years, are transmitted to the Registrar, together with the copies of the rules as aforesaid. Tables of contributions.

(2)

Friendly Societies (Amendment).

5 (2) No amendment of the rules of any registered society or branch relating to contributions payable for any such benefit, shall be registered unless the table of contributions payable for such kind of benefit, certified under the hand of an actuary who has exercised his profession for at least five years has been transmitted to the Registrar, together with copies of the rules as aforesaid.

10 (b) by inserting next after section twenty-five the following new section:— New s. 25A.

15 25A. (1) Where a society established for the purpose of providing by subscriptions of the members thereof, with or without the aid of donations, for any of the benefits enumerated or referred to in paragraph (a), paragraph (c) or paragraph (e) of subsection one of section ten of this Act, was registered at the commencement of the Friendly Societies (Amendment) Act, 1935, and the rules thereof in force at such commencement do not contain tables of contributions payable for such kinds of benefits or do not contain tables of contributions payable for such kinds of benefits certified under the hand of an actuary who had, at the date upon which they were so certified, exercised his profession for at least five years, the society shall, within a period of twelve months after such commencement, amend its rules so as to include tables of contributions for such kinds of benefits certified under the hand of an actuary who has exercised his profession for at least five years.

25 If any such society does not within the said period so amend its rules the Registrar shall, by writing under his hand cancel the registry of such society.

35 (2) The provisions of subsections four and five of section twenty-five of this Act shall mutatis mutandis apply to and in respect of the cancellation

Friendly Societies (Amendment).

- cancellation, under this section, of the registry of a society, and the effect of such cancellation.
- (c) by omitting subsection two of section one hundred and four. Sec. 104.
(Name of society—use of words “unassured benefit.”)
- 5 (d) by inserting in the matter relating to Part II in section one after the figures “ 25 ” the figures and letter “ 25A.” Sec. 1.
(Revision.)
- (2) The Friendly Societies (Further Amendment) Act, 1931, is further amended by omitting paragraph (i) of subsection one of section three. Further amendment of Act No. 72, 1931, s. 3 (1) (i).
4. The Friendly Societies Act, 1912–1932, is further amended— Further amendment of Act No. 46, 1912.
- (a) by omitting from subsection two of section thirty-eight the words “ and one-half ” wherever occurring; Sec. 28.
(Payment of expenses of management.)
- 15 (b) by omitting paragraph (a) of subsection one of section thirty-nine and by inserting in lieu thereof the following paragraph:— Sec. 39.
(Investment of funds.)
- (a) In the Commonwealth Savings Bank of Australia or in the Rural Bank of New South Wales; or
- 20
5. The Friendly Societies Act, 1912–1932, is further amended— Further amendment of Act No. 46, 1912.
- (a) (i) by omitting from subsection one of section seventy-three the words “ unless the rules of such society or branch expressly forbid it ”; Sec. 73.
(Reference of dispute to registrar.)
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- (ii) by inserting at the end of the same subsection the words “ but no such reference shall be made unless and until every effort has been made to have the dispute decided in the manner directed by the rules of the society or branch ”;
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- (iii) by omitting from subsection two of the same section the words “ with the consent of the Chief Secretary ”;
- 35
- (b)

Friendly Societies (Amendment).

(b) by omitting section seventy-four and by inserting in lieu thereof the following section:— Substituted s. 74.

5 74. Notwithstanding anything contained in section seventy-three of this Act where the rules of a registered society or branch direct a manner in which disputes are to be decided, and recourse is had to the same, and— Reference of dispute to registrar in cases of delay.

10 (a) the dispute is not, within twenty-one days after application by any party to the dispute, set down for hearing before the tribunal constituted by or under the rules of the society for the determination of the dispute; or 01

15 (b) any appeal against the determination of any tribunal is not, within twenty-one days after application by any party to the dispute, set down for hearing before the tribunal constituted by or under the rules of the society for the determination of such appeal; or 01

20 (c) a decision in regard to the dispute or appeal is not given within twenty-one days after the last day of the hearing by the appropriate tribunal of the dispute or appeal, 02

25 any party to the dispute may refer the dispute to the Registrar, and the Registrar may hear and determine the dispute, and his decision shall be final. 02

30 6. (1) The Friendly Societies Act, 1912-1932, is further amended— Further amendment of Act No. 46, 1912.

35 (a) (i) by omitting from paragraph (b) of subsection three of section eighty-one the words "and who had been a member of the society for a continuous period of fifteen years in respect of any benefit for which she was eligible by the rules of the society," and by inserting Sec. 81. (Subvention payable after 30th June, 1932.)

Friendly Societies (Amendment).

5 inserting in lieu thereof the words "in
respect of any benefit for which such widow
or widowed mother may be eligible as such
under the rules of the society, but such pay-
ment shall be made only when the period
during which such widow or widowed mother
has been so eligible, added to the period of
membership of the deceased member in
10 question, amounts to a continuous period of
at least fifteen years";

(ii) by inserting at the end of the same sub-
section the following proviso:--

15 Provided further that a payment under
this section shall be made in respect of the
benefit of medical attendance and medicine
on account of every person in respect of
whom a payment is made under paragraph
(a) of this subsection in respect of sickness
20 benefit or funeral donation, notwithstand-
ing that such persons may not have been
contributing for or eligible to receive such
first-mentioned benefit at the times referred
to in that paragraph.

(b) by inserting next after the same subsection the
25 following new subsection:--

(4) The payments to any one or more
societies under this section in respect of the
funeral donation or donations of any one person
shall not exceed the sum payable in respect of a
30 funeral donation of fifty pounds, and if claim is
made in respect of contributions for a donation
or donations in excess of such amount the
amount payable as subvention shall be paid to
such societies and in such proportions as the
35 Registrar may deem equitable.

(2) The amendments made by this section shall be
deemed to have commenced on the thirtieth day of June,
one thousand nine hundred and thirty-two.

Friendly Societies (Amendment)

inserting in lieu thereof the words "in respect of any benefit for which such widow or widower may be eligible as such"

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(b) by inserting in section 10 of the Act the following words, to-wit: "(4) The amount payable to a widow or widower shall be in such proportion as the Registrar may deem equitable."

(2) The amendments made by this section shall be deemed to have commenced on the thirtieth day of June one thousand nine hundred and thirty-two.

Approved: Signed James Hume, 1932, Government Printer, Dublin.

The House Bill, introduced in the Legislative Assembly,
and having to do with the rights of persons to the
legislative branch of the government.

W. M. MOULTON,
Speaker of the Legislative Assembly.

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Approved by the Legislature
and the Governor of the State
of California, this 1st day of
January, 1901.