

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 27 November, 1957.*

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1957.

An Act to increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957; to include additional classes of persons as mine workers under the said Act; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

BE it enacted by the Queen'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 "Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957".

Short title
and
citation.

Coal and Oil Shale Mine Workers (Superannuation) Further Amendment.

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957.

5 (3) The Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1957, is amended by omitting subsection two of section one. Amendment of Act No. 18, 1957. Sec. 1 (2). (Consequential.)

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Amendment of Act No. 45, 1941.
10 Acts, is amended—

(a) (i) by omitting from paragraph (b) of Sec. 2. (Definitions.)
subsection two of section two the words “he satisfies the Tribunal” and by inserting in lieu thereof the words “the Tribunal is satisfied”;
15

(ii) by inserting at the end of the same subsection the following new paragraph:—

(c) for any period (whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified) during which he is employed pursuant to a request by the Registrar to accept available employment under and in accordance with section 19F of this Act.
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25

(b) (i) by omitting subparagraph (iii) of paragraph Sec. 2B.
(c) of subsection two of section 2B; (Further extension of definition of “Mine worker”.)

30 (ii) by inserting at the end of the same subsection the following new paragraph:—

A person shall not be a mine worker by virtue of paragraph (c) of this subsection if he becomes an officer of the Department of
of

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Further Amendment.*

of Mines after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

- 5 (c) by inserting next after section 2B the following new section:— New sec.
2BA.
- 10 2BA. Any person who is a mine worker by virtue of his being a person engaged in clerical work in connection with a coal or oil shale mine in accordance with the provisions of subsection two of section 2A of this Act or by virtue of paragraph (b) of subsection two of section 2B of this Act shall not cease to be a mine worker by reason only of the clerical work in which he is engaged not being performed in accordance with the requirements of subsection two of section 2A of this Act or paragraph (b) of subsection two of section 2B of this Act by virtue of which he is a mine worker if such clerical work is clerical work in connection with a coal or oil shale mine and is performed at a mine office. Certain clerical workers not to cease to be mine workers.
- 15
- 20 (d) (i) by omitting paragraphs (a) and (b) of subsection two of section 2C; Sec. 2c.
(Further extension of definition of "Mine worker".)
- 25 (ii) by omitting from paragraph (a) of subsection three of the same section the words "paragraphs (a), (b) and" and by inserting in lieu thereof the word "paragraph";
- (iii) by omitting subsection five of the same section;
- 30 (e) by inserting next after section 2E the following new sections:— New secs.
2F and 2G.
- 35 2F. (1) A reference in this section to the commencement of this section shall be construed as a reference to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified. Further extension of definition of "Mine worker".

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(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person—

- 5 (a) not being a mine worker by virtue of
paragraph (e) of the definition of "Mine
worker" in subsection one of section two
of this Act, who the Tribunal upon
10 application made to it by the industrial
union of which such person is or is eligible
to be a member is satisfied—
- (i) was, immediately before the day on
which the assent of Her Majesty
15 to the Coal and Oil Shale Mine
Workers (Superannuation) Fur-
ther Amendment Act, 1957, was
signified, principally engaged in
the transport of coal or oil shale
20 from the mine to the point of
delivery to which such coal or oil
shale is being delivered by the
owner of such mine; or
- (ii) is principally engaged in the trans-
port of coal or oil shale from the
25 mine to the point of delivery to
which such coal or oil shale is being
delivered by the owner of such
mine; and
- (b) who is an officer of the Department of
30 Mines, not being a mine worker by virtue
of paragraph (c) of subsection two of
section 2B of this Act, and who—
- (i) is engaged in or about a coal or oil
35 shale mine in the performance of
duties under the Coal Mines
Regulation Act, 1912, as amended
by

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5 by subsequent Acts, connected with the provisions of that Act, as so amended, relating to the safety of persons employed in or about coal or oil shale mines;

(ii) was immediately before his appointment as an officer of the Department of Mines a contributor to the Fund; and

10 (iii) in the case of—

15 (a) a person appointed as an officer of the Department of Mines before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, within twenty-one days after such day; or

20 (b) a person appointed as such an officer after such day, within twenty-one days after his appointment,

25 notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts.

30 For the purposes of this subsection “point of delivery” has the meaning ascribed to that expression in paragraph (e) of the definition of “Mine worker” in subsection one of section two of this Act.

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Further Amendment.*

5 (3) A person who is a mine worker by
virtue of subparagraph (i) of paragraph (a)
of subsection two of this section shall for the
purposes of this Act be deemed to be "engaged
in the coal or oil shale mining industries" for
any period, whether before or after the day on
which the assent of Her Majesty to the Coal and
Oil Shale Mine Workers (Superannuation)
10 Further Amendment Act, 1957, is signified,
during which he was or is a contributor to the
Fund.

15 (4) (a) The retiring age of persons
being members of the classes referred to in
paragraph (a) of subsection two of this section
shall be sixty years.

(b) The retiring age of persons
being members of the class referred to in
paragraph (b) of the said subsection shall be
sixty-five years:

20 Provided that any person to whom this
paragraph applies may retire or be retired at
any time after he attains the age of sixty years
and before he attains the age of sixty-five years,
25 and in any such case a reference in any provision
of this Act to the "date of retirement" shall,
notwithstanding anything elsewhere contained
in this Act, in the application of that provision
to and in respect of such person be construed
30 as a reference to the date upon which he so
retires or is retired.

(5) As from the commencement of this
section the provisions of this Act shall, subject
to this section, apply to and in respect of
persons who by virtue of subsection two of this
35 section are mine workers:

Provided that the provisions of this Act in
their application to and in respect of such
persons shall be deemed to be modified to the
following

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5 following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the commencement of this section:

10 Provided further that the provisions of this Act in their application to and in respect of any person who is a member of the class referred to in paragraph (b) of subsection two of this section shall be deemed to be modified to the following extent, that is to say—sections five and six of this Act shall have and take effect as if the age of sixty-five years or, where such person retires or is retired before the age of sixty-five years, the age at which such person retires or is retired were substituted for the age of sixty years referred to therein, and references in this Act to the “date of retirement” shall be construed accordingly.

20 (6) For the purposes of assessing contributions of owners under section nineteen of this Act a person who by virtue of paragraph (a) of subsection two of this section is a mine worker shall be deemed to be employed by the owner of the mine from which such person transports coal or oil shale.

30 (7) Any mine worker who, pursuant to subparagraph (iii) of paragraph (b) of subsection two of this section, notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts, shall be deemed not to be an employee within the meaning of that Act, as so amended.

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2G. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-six. Further extension of definition of "Mine worker".

5 (2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person who was employed in the Electricity Supply Department of Caledonian Collieries Limited at Cessnock, who was 10 so employed during the period of five years immediately before the commencement of this section and who during that period was a contributor as a mine worker under this Act.

15 (3) The retiring age of persons who by virtue of subsection two of this section are mine workers shall be sixty years.

20 (4) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

25 Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the first day of January, one thousand nine hundred and fifty-six.

30 (f) by inserting in subsection six of section three after the words "section 2c of this Act" the words "and in subsection two of section 2F of this Act"; (Special provisions as to calculation of periods of employment.)

(g)

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(g) by inserting at the end of section five the following new subsection:—

Sec. 5.
(Employment after sixty years of age prohibited.)

5 (6) In the application to and in respect of a mine worker who is a colliery surveyor of the provisions of this section and of section six of this Act—

10 (a) such provisions shall be deemed to be modified to the following extent, that is to say—references, express or implied, in the provisions of this section to the commencement of Part II of this Act shall be construed as references to the day
15 on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified; and

(b) such provisions shall be deemed to be amended—

20 (i) by omitting the words “age of sixty years” wherever occurring and by inserting in lieu thereof the words “age of sixty-five years”; and

25 (ii) by inserting after the words “subsections one and two of this section” wherever occurring in this section the words “, as modified and deemed to be amended by paragraphs (a) and (b) of subsection
30 six of this section,”:

35 Provided that any mine worker who is a colliery surveyor may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years and in any such case a reference in this Act to the date of

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5 of retirement shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such mine worker, be construed as a reference to the date upon which he so retires or is retired.

(2) The regulations made under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, and published in Gazette No. 33 of the twenty-sixth day of February, one thousand nine hundred and fifty-four, are amended by omitting paragraph (b) of regulation two.

Amendment of regulations made under Act No. 45, 1941.

(3) (a) The amendment made by subparagraph (i) of paragraph (b) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of March, one thousand nine hundred and fifty-three.

(c) The amendment made by paragraph (d) of subsection one of this section shall be deemed to have commenced on the seventeenth day of December, one thousand nine hundred and fifty.

(d) The amendment made by subsection two of this section shall be deemed to have commenced on the twenty-sixth day of February, one thousand nine hundred and fifty-four.

3. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 45, 1941.

(a) by inserting at the end of section six the following new subsection:—

(12) (a) The amount of pension per week payable to any mine worker who has, before the twenty-fourth day of October, one thousand nine hundred and fifty-four, attained the age of fifty years shall be—

Sec. 6.
(Pensions—mine workers who are retired.)

35 nine

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- 5 nine hundred and fifty-seven, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds ten shillings.
- 10 (b) The amount of pension per week payable to any mine worker who, on or after the twenty-fourth day of October, one thousand nine hundred and fifty-seven, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds ten shillings.
- 15 (b) by omitting from subsections one and (1A) of section seven the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 7. (Pension—permanent incapacity.)
- 20 (c) by omitting from subsection one of section eight the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 8. (Hard luck cases.)
- 25 (d) by omitting from subsection one of section nine the words "four pounds seven shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds fifteen shillings"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- 30 (e) by omitting from subsections one and (1c) of section ten the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10. (Pension payable to dependants.)
- 35 (f) by omitting from subsection three of section 10A the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10A. (De facto wife.)

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(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-fourth day of October, one thousand nine hundred and fifty-seven, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by paragraph (e) and paragraph (f) of subsection one of this section shall be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such commencement.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d) of subsection one of this section shall be deemed to have commenced on the twenty-fourth day of October, one thousand nine hundred and fifty-seven.

(b) The amendments made by paragraph (e) and by paragraph (f) of subsection one of this section shall—

(i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the fifteenth day of October, one thousand nine hundred and fifty-seven, be deemed to have commenced upon the said day;

(ii)

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(ii) in any other case, be deemed to have commenced upon the twenty-fourth day of October, one thousand nine hundred and fifty-seven,

and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

4. (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19D of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate

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estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such 5 Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

5. (1) The Coal and Oil Shale Mine Workers (Super-
10 annuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further
amendment
of Act
No. 45,
1941.

- (a) (i) by omitting from subsection one of section
thirteen the words "or any pension payable
under the Superannuation Act, 1916-1948,"; Sec. 13.
(Deductions from pensions.)
- 15 (ii) by omitting from the same subsection the
words "or any pension payable under the
Superannuation Act, 1916-1952,";
- (b) (i) by omitting paragraph (b) of subsection six
of section eighteen; Sec. 18.
(The Fund.)
- 20 (ii) by inserting at the end of the same section
the following new subsection:—

25 (7) For the purposes of this section the
Tribunal is hereby declared to be a body
corporate under the name of the "Coal and
Oil Shale Mine Workers' Superannuation
Tribunal".

30 The said body corporate shall have
perpetual succession and a common seal and
may in the corporate name sue and be sued
and shall be capable of purchasing, holding,
granting, demising, disposing of and
alienating real and personal property and
of doing and suffering all such other acts
and things as a body corporate may by
35 law do and suffer.

(2)

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(2) (a) The amendment made by subparagraph (i) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

5 (b) The amendment made by subparagraph (ii) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (b) 10 of subsection one of this section shall not prejudice or affect the continuity of the body corporate constituted under paragraph (b) of subsection six of section eighteen of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, but the 15 same shall continue notwithstanding such amendments.

THE STATE OF TEXAS,
COUNTY OF [illegible]

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of [illegible] in the State of Texas.

Notary Public in and for the State of Texas.
My Commission Expires on [illegible]

—301—

No. , 1957.

A BILL

To increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957; to include additional classes of persons as mine workers under the said Act; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

[MR. SIMPSON;—26 November, 1957.]

BE it enacted by the Queen'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 "Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957".

Short title
and
citation.

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Further Amendment.*

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957.

5 (3) The Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1957, is amended by omitting subsection two of section one.

Amendment of Act No. 18, 1957.
Sec. 1 (2).
(Consequential.)

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent 10 Acts, is amended—

Amendment of Act No. 45, 1941.

15 (a) (i) by omitting from paragraph (b) of subsection two of section two the words "he satisfies the Tribunal" and by inserting in lieu thereof the words "the Tribunal is satisfied";

Sec. 2.
(Definitions.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

20 (c) for any period (whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified) during which he is employed pursuant to a request by 25 the Registrar to accept available employment under and in accordance with section 19F of this Act.

(b) (i) by omitting subparagraph (iii) of paragraph (c) of subsection two of section 2B;

Sec. 2B.
(Further extension of definition of "Mine worker".)

30 (ii) by inserting at the end of the same subsection the following new paragraph:—

A person shall not be a mine worker by virtue of paragraph (c) of this subsection if he becomes an officer of the Department of

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of Mines after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

- 5 (c) by inserting next after section 2B the following new section:— New sec.
2BA.

10 2BA. Any person who is a mine worker by virtue of his being a person engaged in clerical work in connection with a coal or oil shale mine in accordance with the provisions of subsection two of section 2A of this Act or by virtue of paragraph (b) of subsection two of section 2B of this Act shall not cease to be a mine worker by reason only of the clerical work in which he is engaged not being performed in accordance with the requirements of subsection two of section 2A of this Act or paragraph (b) of subsection two of section 2B of this Act by virtue of which he is a mine worker if such clerical work is clerical work in connection with a coal or oil shale mine and is performed at a mine office. Certain clerical workers not to cease to be mine workers.

- 15 (d) (i) by omitting paragraphs (a) and (b) of subsection two of section 2c; Sec. 2c.
(Further extension of definition of "Mine worker".)
- 20 (ii) by omitting from paragraph (a) of subsection three of the same section the words "paragraphs (a), (b) and" and by inserting in lieu thereof the word "paragraph";
- 25 (iii) by omitting subsection five of the same section;

- 30 (e) by inserting next after section 2E the following new sections:— New secs.
2F and 2G.

35 2F. (1) A reference in this section to the commencement of this section shall be construed as a reference to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified. Further extension of definition of "Mine worker".

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Further Amendment.*

(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person—

5 (a) not being a mine worker by virtue of
paragraph (e) of the definition of "Mine
worker" in subsection one of section two
of this Act, who the Tribunal upon
10 application made to it by the industrial
union of which such person is or is eligible
to be a member is satisfied—

(i) was, immediately before the day on
which the assent of Her Majesty
15 to the Coal and Oil Shale Mine
Workers (Superannuation) Fur-
ther Amendment Act, 1957, was
signified, principally engaged in
the transport of coal or oil shale
20 from the mine to the point of
delivery to which such coal or oil
shale is being delivered by the
owner of such mine; or

(ii) is principally engaged in the trans-
port of coal or oil shale from the
25 mine to the point of delivery to
which such coal or oil shale is being
delivered by the owner of such
mine; and

(b) who is an officer of the Department of
30 Mines, not being a mine worker by virtue
of paragraph (c) of subsection two of
section 2B of this Act, and who—

(i) is engaged in or about a coal or oil
35 shale mine in the performance of
duties under the Coal Mines
Regulation Act, 1912, as amended
by

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5 by subsequent Acts, connected with the provisions of that Act, as so amended, relating to the safety of persons employed in or about coal or oil shale mines;

(ii) was immediately before his appointment as an officer of the Department of Mines a contributor to the Fund; and

10 (iii) in the case of—

(a) a person appointed as an officer of the Department of Mines before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, within twenty-one days after such day; or

(b) a person appointed as such an officer after such day, within twenty-one days after his appointment,

25 notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts.

30 For the purposes of this subsection “point of delivery” has the meaning ascribed to that expression in paragraph (e) of the definition of “Mine worker” in subsection one of section two of this Act.

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5 (3) A person who is a mine worker by
virtue of subparagraph (i) of paragraph (a)
of subsection two of this section shall for the
purposes of this Act be deemed to be "engaged
in the coal or oil shale mining industries" for
any period, whether before or after the day on
which the assent of Her Majesty to the Coal and
Oil Shale Mine Workers (Superannuation)
Further Amendment Act, 1957, is signified,
10 during which he was or is a contributor to the
Fund.

15 (4) (a) The retiring age of persons
being members of the classes referred to in
paragraph (a) of subsection two of this section
shall be sixty years.

(b) The retiring age of persons
being members of the class referred to in
paragraph (b) of the said subsection shall be
sixty-five years:

20 Provided that any person to whom this
paragraph applies may retire or be retired at
any time after he attains the age of sixty years
and before he attains the age of sixty-five years,
and in any such case a reference in any provision
25 of this Act to the "date of retirement" shall,
notwithstanding anything elsewhere contained
in this Act, in the application of that provision
to and in respect of such person be construed
as a reference to the date upon which he so
30 retires or is retired.

(5) As from the commencement of this
section the provisions of this Act shall, subject
to this section, apply to and in respect of
persons who by virtue of subsection two of this
35 section are mine workers:

Provided that the provisions of this Act in
their application to and in respect of such
persons shall be deemed to be modified to the
following

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Further Amendment.*

5 following extent, that is to say—references,
express or implied, in this Act to the commence-
ment of Part II of this Act, shall be construed
as references to the commencement of this
section:

10 Provided further that the provisions of this
Act in their application to and in respect of any
person who is a member of the class referred to
in paragraph (b) of subsection two of this sec-
tion shall be deemed to be modified to the follow-
ing extent, that is to say—sections five and six of
15 this Act shall have and take effect as if the age
of sixty-five years or, where such person retires
or is retired before the age of sixty-five years,
the age at which such person retires or is retired
were substituted for the age of sixty years
referred to therein, and references in this Act to
the “date of retirement” shall be construed
accordingly.

20 (6) For the purposes of assessing contri-
butions of owners under section nineteen of this
Act a person who by virtue of paragraph (a) of
subsection two of this section is a mine worker
shall be deemed to be employed by the owner
25 of the mine from which such person transports
coal or oil shale.

30 (7) Any mine worker who, pursuant to
subparagraph (iii) of paragraph (b) of sub-
section two of this section, notifies the Under
Secretary for Mines and the Registrar that he
elects to contribute to the Fund and not to the
State Superannuation Fund established under
the Superannuation Act, 1916, as amended by
subsequent Acts, shall be deemed not to be an
35 employee within the meaning of that Act, as so
amended.

Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.

2G. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-six.

Further extension of definition of "Mine worker".

5 (2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person who was employed in the Electricity Supply Department of Caledonian Collieries Limited at Cessnock, who was
10 so employed during the period of five years immediately before the commencement of this section and who during that period was a contributor as a mine worker under this Act.

15 (3) The retiring age of persons who by virtue of subsection two of this section are mine workers shall be sixty years.

20 (4) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

25 Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the first day of January, one thousand nine hundred and fifty-six.

30 (f) by inserting in subsection six of section three after the words "section 2c of this Act" the words "and in subsection two of section 2F of this Act";

Sec. 3.
(Special provisions as to calculation of periods of employment.)

(g)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(g) by inserting at the end of section five the following new subsection:—

Sec. 5.
(Employment after sixty years of age prohibited.)

5 (6) In the application to and in respect of a mine worker who is a colliery surveyor of the provisions of this section and of section six of this Act—

10 (a) such provisions shall be deemed to be modified to the following extent, that is to say—references, express or implied, in the provisions of this section to the commencement of Part II of this Act shall be construed as references to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified; and

(b) such provisions shall be deemed to be amended—

20 (i) by omitting the words “age of sixty years” wherever occurring and by inserting in lieu thereof the words “age of sixty-five years”; and

25 (ii) by inserting after the words “subsections one and two of this section” wherever occurring in this section the words “, as modified and deemed to be amended by paragraphs (a) and (b) of subsection six of this section,”:

30

35 Provided that any mine worker who is a colliery surveyor may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years and in any such case a reference in this Act to the date of

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Further Amendment.*

5 of retirement shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such mine worker, be construed as a reference to the date upon which he so retires or is retired.

(2) The regulations made under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, and published in Gazette No. 33 of the twenty-sixth day of February, one thousand nine hundred and fifty-four, are amended by omitting paragraph (b) of regulation two.

Amendment
of regula-
tions made
under Act
No. 45,
1941.

(3) (a) The amendment made by subparagraph (i) of paragraph (b) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of March, one thousand nine hundred and fifty-three.

(c) The amendment made by paragraph (d) of subsection one of this section shall be deemed to have commenced on the seventeenth day of December, one thousand nine hundred and fifty.

(d) The amendment made by subsection two of this section shall be deemed to have commenced on the twenty-sixth day of February, one thousand nine hundred and fifty-four.

3. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further
amendment
of Act
No. 45,
1941.

(a) by inserting at the end of section six the following new subsection:—

Sec. 6.
(Pensions—
mine
workers
who are
retired.)

(12) (a) The amount of pension per week payable to any mine worker who has, before the twenty-fourth day of October, one thousand nine hundred and fifty-four, been retired shall be deemed to be the amount of pension payable to such mine worker as if he had been retired on the twenty-fourth day of October, one thousand nine hundred and fifty-four.

nine

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Further Amendment.*

- 5 nine hundred and fifty-seven, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds ten shillings.
- 10 (b) The amount of pension per week payable to any mine worker who, on or after the twenty-fourth day of October, one thousand nine hundred and fifty-seven, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds ten shillings.
- 15 (b) by omitting from subsections one and (1A) of section seven the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 7. (Pension—permanent incapacity.)
- 20 (c) by omitting from subsection one of section eight the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 8. (Hard luck cases.)
- 25 (d) by omitting from subsection one of section nine the words "four pounds seven shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds fifteen shillings"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- 30 (e) by omitting from subsections one and (1c) of section ten the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10. (Pension payable to dependants.)
- 35 (f) by omitting from subsection three of section 10A the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds". Sec. 10A. (De facto wife.)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-fourth day of October, one thousand nine hundred 5 and fifty-seven, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as 10 amended by subsequent Acts, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by paragraph (e) and paragraph (f) of subsection one of this section shall 15 be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, 20 as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such commencement.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d) of subsection one of this section shall 25 be deemed to have commenced on the twenty-fourth day of October, one thousand nine hundred and fifty-seven.

(b) The amendments made by paragraph (e) and by paragraph (f) of subsection one of this section shall—

30 (i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the fifteenth day of October, one thousand nine hundred and fifty-seven, be deemed to have 35 commenced upon the said day;

(ii)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(ii) in any other case, be deemed to have commenced upon the twenty-fourth day of October, one thousand nine hundred and fifty-seven,

and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

4. (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19D of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate

Variation
of
estimates.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such
5 Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

5. (1) The Coal and Oil Shale Mine Workers (Super-
10 annuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further
amendment
of Act
No. 45,
1941.

- (a) (i) by omitting from subsection one of section
thirteen the words "or any pension payable
under the Superannuation Act, 1916-1948,";
15 (ii) by omitting from the same subsection the words "or any pension payable under the Superannuation Act, 1916-1952,";
- (b) (i) by omitting paragraph (b) of subsection six
of section eighteen;
20 (ii) by inserting at the end of the same section the following new subsection:—

Sec. 13.
(Deductions from pensions.)

Sec. 18.
(The Fund.)

(7) For the purposes of this section the Tribunal is hereby declared to be a body corporate under the name of the "Coal and Oil Shale Mine Workers' Superannuation Tribunal".
25

The said body corporate shall have perpetual succession and a common seal and may in the corporate name sue and be sued and shall be capable of purchasing, holding, granting, demising, disposing of and alienating real and personal property and of doing and suffering all such other acts and things as a body corporate may by law do and suffer.
30
35

(2)

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Further Amendment.*

(2) (a) The amendment made by subparagraph (i) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

5 (b) The amendment made by subparagraph (ii) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (b) 10 of subsection one of this section shall not prejudice or affect the continuity of the body corporate constituted under paragraph (b) of subsection six of section eighteen of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, but the 15 same shall continue notwithstanding such amendments.

Section 10. The Board of Directors of the Corporation shall have the right to...

Section 11. The Board of Directors of the Corporation shall have the right to...

Section 12. The Board of Directors of the Corporation shall have the right to...

Section 13. The Board of Directors of the Corporation shall have the right to...

Section 14. The Board of Directors of the Corporation shall have the right to...

PROOF

**COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION)
FURTHER AMENDMENT BILL, 1957.**

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to extend the age of compulsory retirement of a colliery surveyor from 60 years to 65 years;
- (b) to extend the definition of "Mine worker" to include—
 - (i) certain officers of the Department of Mines;
 - (ii) certain persons engaged in clerical work in connection with a coal or oil shale mine after they are transferred to mine offices not in or about or in close proximity to a coal or oil shale mine;
 - (iii) certain employees of the Electricity Supply Department of Caledonian Collieries Limited at Cessnock; and
 - (iv) certain persons who the Superannuation Tribunal established under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is satisfied are employed in transporting coal or oil shale to a point of delivery;
- (c) to increase by seven shillings and sixpence per week as from specified dates to agree with similar increases in the rates of Federal Age, Invalid and Widows' Pensions, payments awarded or to be awarded to single or widower mine workers, and widows and in respect of female dependants and to make a corresponding increase in subsidy payments under Part IVA of the said Act;
- (d) to enable the Tribunal to amend its estimates of revenue for the financial year ending 30th June, 1958, both in respect of the Coal and Oil Shale Mine Workers Superannuation Fund and the Coal and Oil Shale Mine Workers Compensation Subsidy Fund;
- (e) to make the Tribunal a "corporate body" for certain additional purposes;
- (f) to make other amendments of a consequential nature or ancillary to the foregoing.

1904

GOAL AND OBJECTIVES OF THE INVESTIGATION
FURTHER RESEARCH

EXPLANATION

No. , 1957.

A BILL

To increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957; to include additional classes of persons as mine workers under the said Act; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

[MR. SIMPSON;—26 November, 1957.]

BE it enacted by the Queen'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 "Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957".

Short title
and
citation.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957.

5 (3) The Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1957, is amended by omitting subsection two of section one. Amendment of Act No. 18, 1957. Sec. 1 (2). (Consequential.)

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Amendment of Act No. 45, 1941.

10 Acts, is amended—
15 (a) (i) by omitting from paragraph (b) of subsection two of section two the words “he satisfies the Tribunal” and by inserting in lieu thereof the words “the Tribunal is satisfied”;

(ii) by inserting at the end of the same subsection the following new paragraph:—

20 (c) for any period (whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified) during which he is employed pursuant to a request by the Registrar to accept available employment under and in accordance with section 19F of this Act.

25 (b) (i) by omitting subparagraph (iii) of paragraph (c) of subsection two of section 2B; Sec. 2B. (Further extension of definition of “Mine worker”.)
30 (ii) by inserting at the end of the same subsection the following new paragraph:—

A person shall not be a mine worker by virtue of paragraph (c) of this subsection if he becomes an officer of the Department of

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

of Mines after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

- 5 (c) by inserting next after section 2B the following new section:— New sec.
2BA.
- 10 2BA. Any person who is a mine worker by virtue of his being a person engaged in clerical work in connection with a coal or oil shale mine in accordance with the provisions of subsection two of section 2A of this Act or by virtue of paragraph (b) of subsection two of section 2B of this Act shall not cease to be a mine worker by reason only of the clerical work in which he is engaged not being performed in accordance with the requirements of subsection two of section 2A of this Act or paragraph (b) of subsection two of section 2B of this Act by virtue of which he is a mine worker if such clerical work is clerical work in connection with a coal or oil shale mine and is performed at a mine office. Certain clerical workers not to cease to be mine workers.
- 15
- 20
- (d) (i) by omitting paragraphs (a) and (b) of subsection two of section 2c; Sec. 2c.
(Further extension of definition of "Mine worker".)
- 25 (ii) by omitting from paragraph (a) of subsection three of the same section the words "paragraphs (a), (b) and" and by inserting in lieu thereof the word "paragraph";
- (iii) by omitting subsection five of the same section;
- 30 (e) by inserting next after section 2E the following new sections:— New secs.
2F and 2G.
- 35 2F. (1) A reference in this section to the commencement of this section shall be construed as a reference to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified. Further extension of definition of "Mine worker".

Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.

(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person—

5 (a) not being a mine worker by virtue of
paragraph (e) of the definition of "Mine
worker" in subsection one of section two
of this Act, who the Tribunal upon
10 application made to it by the industrial
union of which such person is or is eligible
to be a member is satisfied—

(i) was, immediately before the day on
which the assent of Her Majesty
15 to the Coal and Oil Shale Mine
Workers (Superannuation) Fur-
ther Amendment Act, 1957, was
signified, principally engaged in
the transport of coal or oil shale
20 from the mine to the point of
delivery to which such coal or oil
shale is being delivered by the
owner of such mine; or

(ii) is principally engaged in the trans-
port of coal or oil shale from the
25 mine to the point of delivery to
which such coal or oil shale is being
delivered by the owner of such
mine; and

(b) who is an officer of the Department of
30 Mines, not being a mine worker by virtue
of paragraph (c) of subsection two of
section 2B of this Act, and who—

(i) is engaged in or about a coal or oil
35 shale mine in the performance of
duties under the Coal Mines
Regulation Act, 1912, as amended
by

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

- 5 by subsequent Acts, connected with the provisions of that Act, as so amended, relating to the safety of persons employed in or about coal or oil shale mines;
- (ii) was immediately before his appointment as an officer of the Department of Mines a contributor to the Fund; and
- 10 (iii) in the case of—
- (a) a person appointed as an officer of the Department of Mines before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, within twenty-one days after such day; or
- 15
- 20 (b) a person appointed as such an officer after such day, within twenty-one days after his appointment,
- 25 notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as
- 30 amended by subsequent Acts.

35 For the purposes of this subsection "point of delivery" has the meaning ascribed to that expression in paragraph (e) of the definition of "Mine worker" in subsection one of section two of this Act.

(3)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

5 (3) A person who is a mine worker by
virtue of subparagraph (i) of paragraph (a)
of subsection two of this section shall for the
purposes of this Act be deemed to be "engaged
in the coal or oil shale mining industries" for
any period, whether before or after the day on
which the assent of Her Majesty to the Coal and
Oil Shale Mine Workers (Superannuation)
10 Further Amendment Act, 1957, is signified,
during which he was or is a contributor to the
Fund.

15 (4) (a) The retiring age of persons
being members of the classes referred to in
paragraph (a) of subsection two of this section
shall be sixty years.

(b) The retiring age of persons
being members of the class referred to in
paragraph (b) of the said subsection shall be
sixty-five years:

20 Provided that any person to whom this
paragraph applies may retire or be retired at
any time after he attains the age of sixty years
and before he attains the age of sixty-five years,
25 and in any such case a reference in any provision
of this Act to the "date of retirement" shall,
notwithstanding anything elsewhere contained
in this Act, in the application of that provision
to and in respect of such person be construed
30 as a reference to the date upon which he so
retires or is retired.

(5) As from the commencement of this
section the provisions of this Act shall, subject
to this section, apply to and in respect of
persons who by virtue of subsection two of this
35 section are mine workers:

Provided that the provisions of this Act in
their application to and in respect of such
persons shall be deemed to be modified to the
following

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

5 following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the commencement of this section:

10 Provided further that the provisions of this Act in their application to and in respect of any person who is a member of the class referred to in paragraph (b) of subsection two of this section shall be deemed to be modified to the following extent, that is to say—sections five and six of this Act shall have and take effect as if the age of sixty-five years or, where such person retires or is retired before the age of sixty-five years, 15 the age at which such person retires or is retired were substituted for the age of sixty years referred to therein, and references in this Act to the “date of retirement” shall be construed accordingly.

20 (6) For the purposes of assessing contributions of owners under section nineteen of this Act a person who by virtue of paragraph (a) of subsection two of this section is a mine worker shall be deemed to be employed by the owner 25 of the mine from which such person transports coal or oil shale.

30 (7) Any mine worker who, pursuant to subparagraph (iii) of paragraph (b) of subsection two of this section, notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts, shall be deemed not to be an 35 employee within the meaning of that Act, as so amended.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

2G. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-six.

Further extension of definition of "Mine worker".

5 (2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person who was employed in the Electricity Supply Department of Caledonian Collieries Limited at Cessnock, who was
10 so employed during the period of five years immediately before the commencement of this section and who during that period was a contributor as a mine worker under this Act.

15 (3) The retiring age of persons who by virtue of subsection two of his section are mine workers shall be sixty years.

20 (4) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

25 Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the first day of January, one thousand nine hundred and fifty-six.

30 (f) by inserting in subsection six of section three after the words "section 2C of this Act" the words "and in subsection two of section 2F of this Act";

Sec. 3.
(Special provisions as to calculation of periods of employment.)

(g)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(g) by inserting at the end of section five the following new subsection:—

Sec. 5.
(Employment after sixty years of age prohibited.)

5 (6) In the application to and in respect of a mine worker who is a colliery surveyor of the provisions of this section and of section six of this Act—

10 (a) such provisions shall be deemed to be modified to the following extent, that is to say—references, express or implied, in the provisions of this section to the commencement of Part II of this Act shall be construed as references to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified; and

(b) such provisions shall be deemed to be amended—

20 (i) by omitting the words “age of sixty years” wherever occurring and by inserting in lieu thereof the words “age of sixty-five years”; and

25 (ii) by inserting after the words “subsections one and two of this section” wherever occurring in this section the words “, as modified and deemed to be amended by paragraphs (a) and (b) of subsection six of this section,”:

35 Provided that any mine worker who is a colliery surveyor may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years and in any such case a reference in this Act to the date of

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

of retirement shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such mine worker, be construed as a reference to the date upon which he so retires or is retired.

5

(2) The regulations made under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, and published in Gazette No. 33 of the twenty-sixth day of February, one thousand nine hundred and fifty-four, are amended by omitting paragraph (b) of regulation two.

Amendment
of regula-
tions made
under Act
No. 45,
1941.

(3) (a) The amendment made by subparagraph (i) of paragraph (b) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of March, one thousand nine hundred and fifty-three.

(c) The amendment made by paragraph (d) of subsection one of this section shall be deemed to have commenced on the seventeenth day of December, one thousand nine hundred and fifty.

(d) The amendment made by subsection two of this section shall be deemed to have commenced on the twenty-sixth day of February, one thousand nine hundred and fifty-four.

3. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further
amendment
of Act
No. 45,
1941.

(a) by inserting at the end of section six the following new subsection:—

Sec. 6.
(Pensions—
mine
workers
who are
retired.)

(12) (a) The amount of pension per week payable to any mine worker who has, before the twenty-fourth day of October, one thousand nine hundred and fifty-four, been in the service of the Government of India for a period of not less than five years shall be—

35

nine

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

5 nine hundred and fifty-seven, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds ten shillings.

10 (b) The amount of pension per week payable to any mine worker who, on or after the twenty-fourth day of October, one thousand nine hundred and fifty-seven, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds ten shillings.

15 (b) by omitting from subsections one and (1A) of section seven the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 7. (Pension—permanent incapacity.)

20 (c) by omitting from subsection one of section eight the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 8. (Hard luck cases.)

25 (d) by omitting from subsection one of section nine the words "four pounds seven shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds fifteen shillings"; Sec. 9. (Pensions—additional payments in respect of dependants.)

30 (e) by omitting from subsections one and (1c) of section ten the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10. (Pension payable to dependants.)

35 (f) by omitting from subsection three of section 10A the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10A. (De facto wife.)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-fourth day of October, one thousand nine hundred 5 and fifty-seven, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as 10 amended by subsequent Acts, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by paragraph (e) and paragraph (f) of subsection one of this section shall 15 be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, 20 as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such commencement.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d) of subsection one of this section shall 25 be deemed to have commenced on the twenty-fourth day of October, one thousand nine hundred and fifty-seven.

(b) The amendments made by paragraph (e) and by paragraph (f) of subsection one of this section shall—

30 (i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the fifteenth day of October, one thousand nine hundred and fifty-seven, be deemed to have 35 commenced upon the said day;

(ii)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(ii) in any other case, be deemed to have commenced upon the twenty-fourth day of October, one thousand nine hundred and fifty-seven, and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

4. (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19D of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate

Variation
of
estimates.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such
5 Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

5. (1) The Coal and Oil Shale Mine Workers (Super-
10 annuation) Act, 1941, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 45, 1941.

- (a) (i) by omitting from subsection one of section
thirteen the words "or any pension payable
under the Superannuation Act, 1916-1948,";
15 (ii) by omitting from the same subsection the words "or any pension payable under the Superannuation Act, 1916-1952,";
- (b) (i) by omitting paragraph (b) of subsection six
of section eighteen;
20 (ii) by inserting at the end of the same section the following new subsection:—

Sec. 13.
(Deductions from pensions.)

Sec. 18.
(The Fund.)

(7) For the purposes of this section the Tribunal is hereby declared to be a body corporate under the name of the "Coal and Oil Shale Mine Workers' Superannuation Tribunal".
25

The said body corporate shall have perpetual succession and a common seal and may in the corporate name sue and be sued
30 and shall be capable of purchasing, holding, granting, demising, disposing of and alienating real and personal property and of doing and suffering all such other acts and things as a body corporate may by
35 law do and suffer.

(2)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) (a) The amendment made by subparagraph (i) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

5 (b) The amendment made by subparagraph (ii) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (b) 10 of subsection one of this section shall not prejudice or affect the continuity of the body corporate constituted under paragraph (b) of subsection six of section eighteen of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, but the 15 same shall continue notwithstanding such amendments.

Section 10. (a) The amendments made by paragraph (1) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixth day of October and this title shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(b) The amendments made by paragraph (2) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (3) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(d) The amendments made by paragraph (4) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

Approved and passed at the regular session of the Legislature of the State of Oklahoma, this 15th day of October, 1952.

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 54, 1957.

An Act to increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957; to include additional classes of persons as mine workers under the said Act; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith. [Assented to, 9th December, 1957.]

BE it enacted by the Queen'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 "Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957".

Short title
and
citation.

10287

[8d.]

(2)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957.

Amendment
of Act
No. 18,
1957.

Sec. 1 (2).
(Consequen-
tial.)

(3) The Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1957, is amended by omitting subsection two of section one.

Amendment
of Act
No. 45,
1941.

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is amended—

Sec. 2.
(Defini-
tions.)

(a) (i) by omitting from paragraph (b) of subsection two of section two the words “he satisfies the Tribunal” and by inserting in lieu thereof the words “the Tribunal is satisfied”;

(ii) by inserting at the end of the same subsection the following new paragraph:—

(c) for any period (whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified) during which he is employed pursuant to a request by the Registrar to accept available employment under and in accordance with section 19F of this Act.

Sec. 2B.
(Further
extension of
definition
of “Mine
worker”).

(b) (i) by omitting subparagraph (iii) of paragraph (c) of subsection two of section 2B;

(ii) by inserting at the end of the same subsection the following new paragraph:—

A person shall not be a mine worker by virtue of paragraph (c) of this subsection if he becomes an officer of the Department
of

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

of Mines after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

- (c) by inserting next after section 2B the following new section:—

2BA. Any person who is a mine worker by virtue of his being a person engaged in clerical work in connection with a coal or oil shale mine in accordance with the provisions of subsection two of section 2A of this Act or by virtue of paragraph (b) of subsection two of section 2B of this Act shall not cease to be a mine worker by reason only of the clerical work in which he is engaged not being performed in accordance with the requirements of subsection two of section 2A of this Act or paragraph (b) of subsection two of section 2B of this Act by virtue of which he is a mine worker if such clerical work is clerical work in connection with a coal or oil shale mine and is performed at a mine office.

- (d) (i) by omitting paragraphs (a) and (b) of subsection two of section 2c;
 (ii) by omitting from paragraph (a) of subsection three of the same section the words "paragraphs (a), (b) and" and by inserting in lieu thereof the word "paragraph";
 (iii) by omitting subsection five of the same section;

- (e) by inserting next after section 2E the following new sections:—

2F. (1) A reference in this section to the commencement of this section shall be construed as a reference to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person—

- (a) not being a mine worker by virtue of paragraph (e) of the definition of "Mine worker" in subsection one of section two of this Act, who the Tribunal upon application made to it by the industrial union of which such person is or is eligible to be a member is satisfied—
 - (i) was, immediately before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, was signified, principally engaged in the transport of coal or oil shale from the mine to the point of delivery to which such coal or oil shale is being delivered by the owner of such mine; or
 - (ii) is principally engaged in the transport of coal or oil shale from the mine to the point of delivery to which such coal or oil shale is being delivered by the owner of such mine; and
- (b) who is an officer of the Department of Mines, not being a mine worker by virtue of paragraph (c) of subsection two of section 2B of this Act, and who—
 - (i) is engaged in or about a coal or oil shale mine in the performance of duties under the Coal Mines Regulation Act, 1912, as amended by

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

by subsequent Acts, connected with the provisions of that Act, as so amended, relating to the safety of persons employed in or about coal or oil shale mines;

(ii) was immediately before his appointment as an officer of the Department of Mines a contributor to the Fund; and

(iii) in the case of—

(a) a person appointed as an officer of the Department of Mines before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, within twenty-one days after such day; or

(b) a person appointed as such an officer after such day, within twenty-one days after his appointment,

notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts.

For the purposes of this subsection “point of delivery” has the meaning ascribed to that expression in paragraph (e) of the definition of “Mine worker” in subsection one of section two of this Act.

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Further Amendment.*

(3) A person who is a mine worker by virtue of subparagraph (i) of paragraph (a) of subsection two of this section shall for the purposes of this Act be deemed to be "engaged in the coal or oil shale mining industries" for any period, whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, during which he was or is a contributor to the Fund.

(4) (a) The retiring age of persons being members of the classes referred to in paragraph (a) of subsection two of this section shall be sixty years.

(b) The retiring age of persons being members of the class referred to in paragraph (b) of the said subsection shall be sixty-five years:

Provided that any person to whom this paragraph applies may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years, and in any such case a reference in any provision of this Act to the "date of retirement" shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such person be construed as a reference to the date upon which he so retires or is retired.

(5) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the commencement of this section:

Provided further that the provisions of this Act in their application to and in respect of any person who is a member of the class referred to in paragraph (b) of subsection two of this section shall be deemed to be modified to the following extent, that is to say—sections five and six of this Act shall have and take effect as if the age of sixty-five years or, where such person retires or is retired before the age of sixty-five years, the age at which such person retires or is retired were substituted for the age of sixty years referred to therein, and references in this Act to the “date of retirement” shall be construed accordingly.

(6) For the purposes of assessing contributions of owners under section nineteen of this Act a person who by virtue of paragraph (a) of subsection two of this section is a mine worker shall be deemed to be employed by the owner of the mine from which such person transports coal or oil shale.

(7) Any mine worker who, pursuant to subparagraph (iii) of paragraph (b) of subsection two of this section, notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts, shall be deemed not to be an employee within the meaning of that Act, as so amended.

Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.

Further extension of definition of "Mine worker".

2g. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-six.

(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person who was employed in the Electricity Supply Department of Caledonian Collieries Limited at Cessnock, who was so employed during the period of five years immediately before the commencement of this section and who during that period was a contributor as a mine worker under this Act.

(3) The retiring age of persons who by virtue of subsection two of this section are mine workers shall be sixty years.

(4) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the first day of January, one thousand nine hundred and fifty-six.

Sec. 3.
(Special provisions as to calculation of periods of employment.)

(f) by inserting in subsection six of section three after the words "section 2c of this Act" the words "and in subsection two of section 2F of this Act";

(g)

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Further Amendment.

- (g) by inserting at the end of section five the following new subsection:—
- Sec. 5.
(Employment after sixty years of age prohibited.)
- (6) In the application to and in respect of a mine worker who is a colliery surveyor of the provisions of this section and of section six of this Act—
- (a) such provisions shall be deemed to be modified to the following extent, that is to say—references, express or implied, in the provisions of this section to the commencement of Part II of this Act shall be construed as references to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified; and
- (b) such provisions shall be deemed to be amended—
- (i) by omitting the words “age of sixty years” wherever occurring and by inserting in lieu thereof the words “age of sixty-five years”; and
- (ii) by inserting after the words “subsections one and two of this section” wherever occurring in this section the words “, as modified and deemed to be amended by paragraphs (a) and (b) of subsection six of this section,”:

Provided that any mine worker who is a colliery surveyor may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years and in any such case a reference in this Act to the date of

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

of retirement shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such mine worker, be construed as a reference to the date upon which he so retires or is retired.

Amendment
of regula-
tions made
under Act
No. 45,
1941.

(2) The regulations made under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, and published in Gazette No. 33 of the twenty-sixth day of February, one thousand nine hundred and fifty-four, are amended by omitting paragraph (b) of regulation two.

(3) (a) The amendment made by subparagraph (i) of paragraph (b) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of March, one thousand nine hundred and fifty-three.

(c) The amendment made by paragraph (d) of subsection one of this section shall be deemed to have commenced on the seventeenth day of December, one thousand nine hundred and fifty.

(d) The amendment made by subsection two of this section shall be deemed to have commenced on the twenty-sixth day of February, one thousand nine hundred and fifty-four.

Further
amendment
of Act
No. 45,
1941.

3. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Sec. 6.
(Pensions—
mine
workers
who are
retired.)

(a) by inserting at the end of section six the following new subsection:—

(12) (a) The amount of pension per week payable to any mine worker who has, before the twenty-fourth day of October, one thousand nine hundred and

nine

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Further Amendment.*

nine hundred and fifty-seven, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds ten shillings.

(b) The amount of pension per week payable to any mine worker who, on or after the twenty-fourth day of October, one thousand nine hundred and fifty-seven, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds ten shillings.

- (b) by omitting from subsections one and (1A) of section seven the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 7. (Pension—permanent incapacity.)
- (c) by omitting from subsection one of section eight the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 8. (Hard luck cases.)
- (d) by omitting from subsection one of section nine the words "four pounds seven shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds fifteen shillings"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- (e) by omitting from subsections one and (1c) of section ten the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10. (Pension payable to dependants.)
- (f) by omitting from subsection three of section 10A the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds". Sec. 10A. (De facto wife.)

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Further Amendment.*

(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-fourth day of October, one thousand nine hundred and fifty-seven, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by paragraph (e) and paragraph (f) of subsection one of this section shall be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such commencement.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d) of subsection one of this section shall be deemed to have commenced on the twenty-fourth day of October, one thousand nine hundred and fifty-seven.

(b) The amendments made by paragraph (e) and by paragraph (f) of subsection one of this section shall—

- (i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the fifteenth day of October, one thousand nine hundred and fifty-seven, be deemed to have commenced upon the said day;

(ii)

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(ii) in any other case, be deemed to have commenced upon the twenty-fourth day of October, one thousand nine hundred and fifty-seven,

and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

4. (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund. Variation
of
estimates.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19b of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

Further amendment of Act No. 45, 1941.

5. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Sec. 13.
(Deductions from pensions.)

- (a) (i) by omitting from subsection one of section thirteen the words “or any pension payable under the Superannuation Act, 1916-1948,”;
- (ii) by omitting from the same subsection the words “or any pension payable under the Superannuation Act, 1916-1952,”;

Sec. 18.
(The Fund.)

- (b) (i) by omitting paragraph (b) of subsection six of section eighteen;
- (ii) by inserting at the end of the same section the following new subsection:—

(7) For the purposes of this section the Tribunal is hereby declared to be a body corporate under the name of the “Coal and Oil Shale Mine Workers’ Superannuation Tribunal”.

The said body corporate shall have perpetual succession and a common seal and may in the corporate name sue and be sued and shall be capable of purchasing, holding, granting, demising, disposing of and alienating real and personal property and of doing and suffering all such other acts and things as a body corporate may by law do and suffer.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) (a) The amendment made by subparagraph (i) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by subparagraph (ii) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (b) of subsection one of this section shall not prejudice or affect the continuity of the body corporate constituted under paragraph (b) of subsection six of section eighteen of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, but the same shall continue notwithstanding such amendments.

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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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 November, 1957, A.M.*

New South Wales



ANNO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 54, 1957.

An Act to increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957; to include additional classes of persons as mine workers under the said Act; for these and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith. [Assented to, 9th December, 1957.]

BE it enacted by the Queen'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 "Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957".

Short title
and
citation.

(2)

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

*Coal and Oil Shale Mine Workers (Superannuation)
Further Amendment.*

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1957.

Amendment
of Act
No. 18,
1957.

(3) The Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1957, is amended by omitting subsection two of section one.

Sec. 1 (2).
(Consequen-
tial.)

Amendment
of Act
No. 45,
1941.

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is amended—

Sec. 2.
(Defini-
tions.)

(a) (i) by omitting from paragraph (b) of subsection two of section two the words “he satisfies the Tribunal” and by inserting in lieu thereof the words “the Tribunal is satisfied”;

(ii) by inserting at the end of the same subsection the following new paragraph:—

(c) for any period (whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified) during which he is employed pursuant to a request by the Registrar to accept available employment under and in accordance with section 19F of this Act.

Sec. 2B.
(Further
extension of
definition of
“Mine
worker”).

(b) (i) by omitting subparagraph (iii) of paragraph (c) of subsection two of section 2B;

(ii) by inserting at the end of the same subsection the following new paragraph:—

A person shall not be a mine worker by virtue of paragraph (c) of this subsection if he becomes an officer of the Department
of

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of Mines after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified.

- (c) by inserting next after section 2B the following new section:— New sec.
2BA.

2BA. Any person who is a mine worker by virtue of his being a person engaged in clerical work in connection with a coal or oil shale mine in accordance with the provisions of subsection two of section 2A of this Act or by virtue of paragraph (b) of subsection two of section 2B of this Act shall not cease to be a mine worker by reason only of the clerical work in which he is engaged not being performed in accordance with the requirements of subsection two of section 2A of this Act or paragraph (b) of subsection two of section 2B of this Act by virtue of which he is a mine worker if such clerical work is clerical work in connection with a coal or oil shale mine and is performed at a mine office. Certain clerical workers not to cease to be mine workers.

- (d) (i) by omitting paragraphs (a) and (b) of subsection two of section 2C; Sec. 2c.
(Further extension of definition of "Mine worker".)
- (ii) by omitting from paragraph (a) of subsection three of the same section the words "paragraphs (a), (b) and" and by inserting in lieu thereof the word "paragraph";
- (iii) by omitting subsection five of the same section;

- (e) by inserting next after section 2E the following new sections:— New secs.
2F and 2G.

2F. (1) A reference in this section to the commencement of this section shall be construed as a reference to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified. Further extension of definition of "Mine worker".

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(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person—

(a) not being a mine worker by virtue of paragraph (e) of the definition of "Mine worker" in subsection one of section two of this Act, who the Tribunal upon application made to it by the industrial union of which such person is or is eligible to be a member is satisfied—

(i) was, immediately before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, was signified, principally engaged in the transport of coal or oil shale from the mine to the point of delivery to which such coal or oil shale is being delivered by the owner of such mine; or

(ii) is principally engaged in the transport of coal or oil shale from the mine to the point of delivery to which such coal or oil shale is being delivered by the owner of such mine; and

(b) who is an officer of the Department of Mines, not being a mine worker by virtue of paragraph (c) of subsection two of section 2B of this Act, and who—

(i) is engaged in or about a coal or oil shale mine in the performance of duties under the Coal Mines Regulation Act, 1912, as amended by

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by subsequent Acts, connected with the provisions of that Act, as so amended, relating to the safety of persons employed in or about coal or oil shale mines;

(ii) was immediately before his appointment as an officer of the Department of Mines a contributor to the Fund; and

(iii) in the case of—

(a) a person appointed as an officer of the Department of Mines before the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, within twenty-one days after such day; or

(b) a person appointed as such an officer after such day, within twenty-one days after his appointment,

notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts.

For the purposes of this subsection “point of delivery” has the meaning ascribed to that expression in paragraph (e) of the definition of “Mine worker” in subsection one of section two of this Act.

(3)

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(3) A person who is a mine worker by virtue of subparagraph (i) of paragraph (a) of subsection two of this section shall for the purposes of this Act be deemed to be "engaged in the coal or oil shale mining industries" for any period, whether before or after the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified, during which he was or is a contributor to the Fund.

(4) (a) The retiring age of persons being members of the classes referred to in paragraph (a) of subsection two of this section shall be sixty years.

(b) The retiring age of persons being members of the class referred to in paragraph (b) of the said subsection shall be sixty-five years:

Provided that any person to whom this paragraph applies may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years, and in any such case a reference in any provision of this Act to the "date of retirement" shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such person be construed as a reference to the date upon which he so retires or is retired.

(5) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following

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following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the commencement of this section:

Provided further that the provisions of this Act in their application to and in respect of any person who is a member of the class referred to in paragraph (b) of subsection two of this section shall be deemed to be modified to the following extent, that is to say—sections five and six of this Act shall have and take effect as if the age of sixty-five years or, where such person retires or is retired before the age of sixty-five years, the age at which such person retires or is retired were substituted for the age of sixty years referred to therein, and references in this Act to the “date of retirement” shall be construed accordingly.

(6) For the purposes of assessing contributions of owners under section nineteen of this Act a person who by virtue of paragraph (a) of subsection two of this section is a mine worker shall be deemed to be employed by the owner of the mine from which such person transports coal or oil shale.

(7) Any mine worker who, pursuant to subparagraph (iii) of paragraph (b) of subsection two of this section, notifies the Under Secretary for Mines and the Registrar that he elects to contribute to the Fund and not to the State Superannuation Fund established under the Superannuation Act, 1916, as amended by subsequent Acts, shall be deemed not to be an employee within the meaning of that Act, as so amended.

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Further Amendment.

Further extension of definition of "Mine worker".

2G. (1) This section shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-six.

(2) As from the commencement of this section the definition of "Mine worker" in subsection one of section two of this Act shall be extended to include a person who was employed in the Electricity Supply Department of Caledonian Collieries Limited at Cessnock, who was so employed during the period of five years immediately before the commencement of this section and who during that period was a contributor as a mine worker under this Act.

(3) The retiring age of persons who by virtue of subsection two of this section are mine workers shall be sixty years.

(4) As from the commencement of this section the provisions of this Act shall, subject to this section, apply to and in respect of persons who by virtue of subsection two of this section are mine workers:

Provided that the provisions of this Act in their application to and in respect of such persons shall be deemed to be modified to the following extent, that is to say—references, express or implied, in this Act to the commencement of Part II of this Act, shall be construed as references to the first day of January, one thousand nine hundred and fifty-six.

Sec. 3.
(Special provisions as to calculation of periods of employment.)

(f) by inserting in subsection six of section three after the words "section 2C of this Act" the words "and in subsection two of section 2F of this Act";

(g)

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(g) by inserting at the end of section five the following new subsection:—

Sec. 5.
(Employment after sixty years of age prohibited.)

(6) In the application to and in respect of a mine worker who is a colliery surveyor of the provisions of this section and of section six of this Act—

(a) such provisions shall be deemed to be modified to the following extent, that is to say—references, express or implied, in the provisions of this section to the commencement of Part II of this Act shall be construed as references to the day on which the assent of Her Majesty to the Coal and Oil Shale Mine Workers (Superannuation) Further Amendment Act, 1957, is signified; and

(b) such provisions shall be deemed to be amended—

(i) by omitting the words “age of sixty years” wherever occurring and by inserting in lieu thereof the words “age of sixty-five years”; and

(ii) by inserting after the words “subsections one and two of this section” wherever occurring in this section the words “, as modified and deemed to be amended by paragraphs (a) and (b) of subsection six of this section,”:

Provided that any mine worker who is a colliery surveyor may retire or be retired at any time after he attains the age of sixty years and before he attains the age of sixty-five years and in any such case a reference in this Act to the date
of

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of retirement shall, notwithstanding anything elsewhere contained in this Act, in the application of that provision to and in respect of such mine worker, be construed as a reference to the date upon which he so retires or is retired.

Amendment
of regula-
tions made
under Act
No. 45,
1941.

(2) The regulations made under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, and published in Gazette No. 33 of the twenty-sixth day of February, one thousand nine hundred and fifty-four, are amended by omitting paragraph (b) of regulation two.

(3) (a) The amendment made by subparagraph (i) of paragraph (b) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of March, one thousand nine hundred and fifty-three.

(c) The amendment made by paragraph (d) of subsection one of this section shall be deemed to have commenced on the seventeenth day of December, one thousand nine hundred and fifty.

(d) The amendment made by subsection two of this section shall be deemed to have commenced on the twenty-sixth day of February, one thousand nine hundred and fifty-four.

Further
amendment
of Act
No. 45,
1941.

3. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

(a) by inserting at the end of section six the following new subsection:—

(12) (a) The amount of pension per week payable to any mine worker who has, before the twenty-fourth day of October, one thousand nine

Sec. 6.
(Pensions—
mine
workers
who are
retired.)

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nine hundred and fifty-seven, been awarded a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds ten shillings.

(b) The amount of pension per week payable to any mine worker who, on or after the twenty-fourth day of October, one thousand nine hundred and fifty-seven, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds ten shillings.

- (b) by omitting from subsections one and (1A) of section seven the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 7. (Pension—permanent incapacity.)
- (c) by omitting from subsection one of section eight the words "five pounds two shillings and sixpence" and by inserting in lieu thereof the words "five pounds ten shillings"; Sec. 8. (Hard luck cases.)
- (d) by omitting from subsection one of section nine the words "four pounds seven shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds fifteen shillings"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- (e) by omitting from subsections one and (1c) of section ten the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds"; Sec. 10. (Pension payable to dependants.)
- (f) by omitting from subsection three of section 10A the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds". Sec. 10A. (De facto wife.)

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(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-fourth day of October, one thousand nine hundred and fifty-seven, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by paragraph (e) and paragraph (f) of subsection one of this section shall be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, as well as to persons becoming eligible for any such pension after such commencement.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d) of subsection one of this section shall be deemed to have commenced on the twenty-fourth day of October, one thousand nine hundred and fifty-seven.

(b) The amendments made by paragraph (e) and by paragraph (f) of subsection one of this section shall—

(i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the fifteenth day of October, one thousand nine hundred and fifty-seven, be deemed to have commenced upon the said day;

(ii)

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- (ii) in any other case, be deemed to have commenced upon the twenty-fourth day of October, one thousand nine hundred and fifty-seven,

and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

4. (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section nineteen of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund. Variation
of
estimates.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, in accordance with section 19D of that Act, as so amended, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-seven, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate

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estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

Further
amendment
of Act
No. 45,
1941.

5. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, is further amended—

Sec. 13.
(Deductions from
pensions.)

- (a) (i) by omitting from subsection one of section thirteen the words “or any pension payable under the Superannuation Act, 1916-1948,”;
- (ii) by omitting from the same subsection the words “or any pension payable under the Superannuation Act, 1916-1952,”;

Sec. 18.
(The Fund.)

- (b) (i) by omitting paragraph (b) of subsection six of section eighteen;
- (ii) by inserting at the end of the same section the following new subsection:—

(7) For the purposes of this section the Tribunal is hereby declared to be a body corporate under the name of the “Coal and Oil Shale Mine Workers’ Superannuation Tribunal”.

The said body corporate shall have perpetual succession and a common seal and may in the corporate name sue and be sued and shall be capable of purchasing, holding, granting, demising, disposing of and alienating real and personal property and of doing and suffering all such other acts and things as a body corporate may by law do and suffer.

(2)

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(2) (a) The amendment made by subparagraph (i) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the sixteenth day of October, one thousand nine hundred and forty-nine.

(b) The amendment made by subparagraph (ii) of paragraph (a) of subsection one of this section shall be deemed to have commenced on the fourth day of December, one thousand nine hundred and fifty-two.

(c) The amendments made by paragraph (b) of subsection one of this section shall not prejudice or affect the continuity of the body corporate constituted under paragraph (b) of subsection six of section eighteen of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts, but the same shall continue notwithstanding such amendments.

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

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 9th December, 1957.*

The first part of the report
 deals with the general
 situation of the
 country and the
 progress of the
 work during the
 year. It is
 followed by a
 detailed account
 of the various
 projects and
 the results
 achieved. The
 report concludes
 with a summary
 of the work
 done and a
 list of the
 references.

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