

*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.*

I. P. K. VIDLER,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 19 March, 1969.*

## New South Wales



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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Act No.     , 1969.

An Act to increase the rates of pension payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968; for this and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

BE

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

**B**E 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) Amendment Act, 1969". Short title and citation.

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as subsequently amended and as amended by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969.

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968, is amended— Amendment of Act No. 45, 1941.

- 15 (a) by omitting from paragraph (a) of subsection one of section seven the words "arising out of and in the course of his employment" wherever occurring; Sec. 7. (Pension—permanent incapacity.)
- 20 (b) (i) by omitting from paragraph (b) of subsection one of section nine the words "one dollar fifty cents" wherever occurring and by inserting in lieu thereof the words "two dollars fifty cents"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- 25 (ii) by omitting from subsection six of the same section the words "one dollar fifty cents" and by inserting in lieu thereof the words "two dollars fifty cents";
- (c) by omitting from paragraph (b) of subsection one of section ten the words "arising out of and in the course of his employment"; Sec. 10. (Pension payable to dependants.)
- 30 (d) by omitting from paragraph (b) of subsection one of section 10A the words "arising out of and in the course of his employment"; Sec. 10A. (De facto wife.)

(e)

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

(e) by inserting next after section 10C the following new section :— New sec. 10D.

10D. (1) Notwithstanding any provision of this Act— Further increases in pensions and additions thereto.

5 (a) the rate of pension payable pursuant to any such provision to any mine worker, who was in receipt of a pension pursuant to subsection one, subsection (1A), subsection two or subsection three of section six, 10 subsection one or subsection (1A) of section seven or subsection one of section eight of this Act on the tenth day of October, one thousand nine hundred and 15 sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible therefor, shall, as on and from that date 20 or from the date on which he became or becomes so eligible, be sixteen dollars twenty-five cents per week;

25 (b) the amount of the addition to a pension payable pursuant to any such provision to a mine worker who was entitled to such addition pursuant to paragraph (a) or paragraph (c) of subsection one of section 30 nine of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who 35 after such commencement becomes, eligible for such addition, shall, as on and from that date or from the date on which he became or becomes so eligible, be thirteen dollars seventy-five cents per week;

(c)

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

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(c) the rate of pension payable pursuant to any such provision—

- 5 (i) to a widow or other female who on the first day of October, one thousand nine hundred and sixty-eight, was entitled to a widow's pension under any legislation of the Commonwealth relating to social services and to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week;
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- 25 (ii) to any person other than a widow or other female referred to in subparagraph (i) of this paragraph who on the tenth day of October, one thousand nine hundred and sixty-eight, was entitled to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week.
- 30
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*Coal and Oil Shale Mine Workers (Superannuation) Amendment.*

(2) Nothing in subsection one of this section shall affect anything contained in sections 11A and thirteen of this Act.

- 5 (f) (i) by omitting from section twelve the figures "1926-1938" wherever occurring and by inserting in lieu thereof the figures and words "1926, as subsequently amended"; Sec. 12. (No pension while compensation payable.)
- 10 (ii) by omitting from the same section the words "arising out of and in the course of his employment" wherever occurring;
- (iii) by omitting from subsection (2A) of the same section the figures "1926-1948" and by inserting in lieu thereof the figures and words "1926, as subsequently amended";
- 15 (iv) by inserting at the end of the same subsection the following new paragraph :—
- 20 (c) a mine worker who has received or recovered damages independently of that Act in respect of an injury mentioned in the first column of the table to section sixteen of that Act.
- (g) by inserting at the end of subsection one of section thirteen the following new paragraphs :— Sec. 13. (Deductions from pensions.)
- 25 Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by
- 30 subsequent Acts of that Parliament the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age, invalid or widow's pension, as the case may be,
- 35 which but for the said section 135U would have been payable to such pensioner.

Notwithstanding

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

- Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—
- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.
- (h) by omitting from subsection seven of section fourteen the figures "1926-1938" and by inserting in lieu thereof the figures and words "1926, as subsequently amended"; Sec. 14. (Applications for pensions.)
- (i) by inserting in subsection two of section 19B after the words "applicable to him." the following new paragraphs :— Sec. 19B. (Amount of subsidy.)
- Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount attributable

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

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5 attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age or invalid pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

10 Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- 25 (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; **and**
- 30 (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

(2) (a) The amendments made by paragraphs (a), (c) and (d) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have 35 commenced on the first day of July, one thousand nine hundred and forty-two.

(b)

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

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(b) The amendments made by paragraphs (g) and (i) of subsection one of this section shall be deemed to have commenced upon the twenty-seventh day of September, one thousand nine hundred and sixty-eight.

5 (3) (a) This subsection applies to a person who immediately before the commencement of this Act was, in respect of a child, in receipt of an addition to a pension, or a pension pursuant to subsection one of section ten of the Coal and Oil Shale Mine Workers (Superannuation) Act.  
10 1941-1968.

(b) The increased weekly amount of two dollars fifty cents per week payable pursuant to the amendments made by paragraph (b) of subsection one of this section shall apply to a person to whom this subsection applies—

15 (i) where such person was, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to  
20 the said subsection one of section ten, as from that date; or

(ii) where such person was not, at the date his entitlement to the increased pension under section 10D  
25 of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from the date he became eligible for such receipt.

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BY AUTHORITY:



No. , 1969.

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## A BILL

To increase the rates of pension payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968; for this and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

[MR FIFE—6 March, 1969.]

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BE

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

**B**E 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) Amendment Act, 1969". Short title and citation.
- (2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as subsequently amended and amended by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969.
2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968, is amended— Amendment of Act No. 45, 1941.
- 15 (a) by omitting from paragraph (a) of subsection one of section seven the words "arising out of and in the course of his employment" wherever occurring; Sec. 7. (Pension—permanent incapacity.)
- 20 (b) (i) by omitting from paragraph (b) of subsection one of section nine the words "one dollar fifty cents" wherever occurring and by inserting in lieu thereof the words "two dollars fifty cents"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- 25 (ii) by omitting from subsection six of the same section the words "one dollar fifty cents" and by inserting in lieu thereof the words "two dollars fifty cents";
- (c) by omitting from paragraph (b) of subsection one of section ten the words "arising out of and in the course of his employment"; Sec. 10. (Pension payable to dependants.)
- 30 (d) by omitting from paragraph (b) of subsection one of section 10A the words "arising out of and in the course of his employment"; Sec. 10A. (De facto wife.)

(e)

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

(e) by inserting next after section 10c the following new section :— New sec. 10b.

10D. (1) Notwithstanding any provision of this Act— Further increases in pensions and additions thereto.

- 5 (a) the rate of pension payable pursuant to any such provision to any mine worker, who was in receipt of a pension pursuant to subsection one, subsection (1A), subsection two or subsection three of section six, 10 subsection one or subsection (1A) of section seven or subsection one of section eight of this Act on the tenth day of October, one thousand nine hundred and 15 before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible therefor, shall, as on and from that date 20 or from the date on which he became or becomes so eligible, be sixteen dollars twenty-five cents per week;
- 25 (b) the amount of the addition to a pension payable pursuant to any such provision to a mine worker who was entitled to such addition pursuant to paragraph (a) or paragraph (c) of subsection one of section 30 nine of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who 35 after such commencement becomes, eligible for such addition, shall, as on and from that date or from the date on which he became or becomes so eligible, be thirteen dollars seventy-five cents per week;

(c)

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

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(c) the rate of pension payable pursuant to any such provision—

5 (i) to a widow or other female who on  
the first day of October, one  
thousand nine hundred and sixty-  
eight, was entitled to a widow's  
pension under any legislation of the  
Commonwealth relating to social  
10 services and to a pension pursuant  
to section ten or 10A of this Act, or  
who after that date and before the  
commencement of the Coal and  
Oil Shale Mine Workers (Super-  
annuation) Amendment Act, 1969,  
15 became, or who after such com-  
mencement becomes, so entitled,  
shall as on and from that date or  
from the date on which she became  
or becomes so entitled, be fifteen  
20 dollars twenty-five cents per week;

25 (ii) to any person other than a widow or  
other female referred to in sub-  
paragraph (i) of this paragraph  
who on the tenth day of October,  
one thousand nine hundred and  
sixty-eight, was entitled to a pension  
pursuant to section ten or 10A of  
this Act, or who after that date and  
before the commencement of the  
30 Coal and Oil Shale Mine Workers  
(Superannuation) Amendment Act,  
1969, became, or who after  
such commencement becomes, so  
entitled, shall as on and from that  
date or from the date on which she  
35 became or becomes so entitled, be  
fifteen dollars twenty-five cents per  
week.

(2)

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

(2) Nothing in subsection one of this section shall affect anything contained in sections 11A and thirteen of this Act.

- 5 (f) (i) by omitting from section twelve the figures Sec. 12.  
 “1926–1938” wherever occurring and by (No pension while compensation payable.)  
 inserting in lieu thereof the figures and words  
 “1926, as subsequently amended”;
- (ii) by omitting from the same section the words  
 10 “arising out of and in the course of his employment” wherever occurring;
- (iii) by omitting from subsection (2A) of the same section the figures “1926–1948” and by inserting in lieu thereof the figures and words  
 “1926, as subsequently amended”;
- 15 (iv) by inserting at the end of the same subsection the following new paragraph :—
- (c) a mine worker who has received or recovered damages independently of that Act in respect of an injury mentioned in the first column of the table to section sixteen of that Act.
- 20
- (g) by inserting at the end of subsection one of section Sec. 13.  
 thirteen the following new paragraphs :— (Deductions from pensions.)
- 25 Notwithstanding anything contained in this  
 subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount  
 30 attributable to age, invalid or widow’s pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age,  
 35 invalid or widow’s pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

Notwithstanding

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

Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.
- (h) by omitting from subsection seven of section fourteen the figures "1926-1938" and by inserting in lieu thereof the figures and words "1926, as subsequently amended"; Sec. 14. (Applications for pensions.)
- (i) by inserting in subsection two of section 19B after the words "applicable to him." the following new paragraphs :— Sec. 19B. (Amount of subsidy.)

Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount attributable

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

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5 attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age or invalid pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

10 Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount)  
15 payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under  
20 this Act shall—

- 25 (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- 30 (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

(2) (a) The amendments made by paragraphs (a), (c) and (d) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have  
35 commenced on the first day of July, one thousand nine hundred and forty-two.

(b)

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

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(b) The amendments made by paragraphs (g) and (i) of subsection one of this section shall be deemed to have commenced upon the twenty-seventh day of September, one thousand nine hundred and sixty-eight.

5 (3) (a) This subsection applies to a person who immediately before the commencement of this Act was, in respect of a child, in receipt of an addition to a pension, or a pension pursuant to subsection one of section ten of the Coal and Oil Shale Mine Workers (Superannuation) Act,  
10 1941-1968.

(b) The increased weekly amount of two dollars fifty cents per week payable pursuant to the amendments made by paragraph (b) of subsection one of this section shall apply to a person to whom this subsection applies—

15 (i) where such person was, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to  
20 the said subsection one of section ten, as from that date; or

(ii) where such person was not, at the date his entitlement to the increased pension under section 10D  
25 of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from the date he became eligible for such receipt.

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BY AUTHORITY:

v. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969  
[10c]



# COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL, 1969

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## EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to increase the rates of pension under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968;
- (b) to amend the said Act to remove certain anomalies between the provisions of that Act and those of the Workers' Compensation Act, 1926–1967;
- (c) to provide that a mine worker who receives or recovers damages independently of the Workers' Compensation Act, 1926–1967, in respect of an injury referred to in section sixteen of that Act shall not be disqualified from receiving a miner's pension;
- (d) to provide for a reduced rate of deduction from pension where the pensioner is in receipt of increased benefits under the Commonwealth Social Services Act 1947–1968, following the death of the pensioner's spouse;
- (e) to provide that no deduction from pension shall be made where a person having the custody, care and control of a child receives an increase in benefits under the Commonwealth Social Services Act 1947–1968, in respect of such child but does not receive payment in respect of such child under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968;
- (f) to make other provisions consequential upon or incidental to the foregoing.



*PROOF*

No. , 1969.

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## A BILL

To increase the rates of pension payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968; for this and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith.

[MR FIFE—6 MARCH, 1969.]

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

**B**E 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) Amendment Act, 1969". Short title and citation.
- (2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as subsequently amended and as amended by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969.
2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968, is amended— Amendment of Act No. 45, 1941.
- 15 (a) by omitting from paragraph (a) of subsection one of section seven the words "arising out of and in the course of his employment" wherever occurring; Sec. 7. (Pension—permanent incapacity.)
- 20 (b) (i) by omitting from paragraph (b) of subsection one of section nine the words "one dollar fifty cents" wherever occurring and by inserting in lieu thereof the words "two dollars fifty cents"; Sec. 9. (Pensions—additional payments in respect of dependants.)
- 25 (ii) by omitting from subsection six of the same section the words "one dollar fifty cents" and by inserting in lieu thereof the words "two dollars fifty cents";
- (c) by omitting from paragraph (b) of subsection one of section ten the words "arising out of and in the course of his employment"; Sec. 10. (Pension payable to dependants.)
- 30 (d) by omitting from paragraph (b) of subsection one of section 10A the words "arising out of and in the course of his employment"; Sec. 10A. (De facto wife.)
- (e)

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

(e) by inserting next after section 10C the following new section :—

New sec.  
10D.

10D. (1) Notwithstanding any provision of this Act—

Further  
increases in  
pensions and  
additions  
thereto.

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(a) the rate of pension payable pursuant to any such provision to any mine worker, who was in receipt of a pension pursuant to subsection one, subsection (1A), subsection two or subsection three of section six, subsection one or subsection (1A) of section seven or subsection one of section eight of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible therefor, shall, as on and from that date or from the date on which he became or becomes so eligible, be sixteen dollars twenty-five cents per week;

(b) the amount of the addition to a pension payable pursuant to any such provision to a mine worker who was entitled to such addition pursuant to paragraph (a) or paragraph (c) of subsection one of section nine of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible for such addition, shall, as on and from that date or from the date on which he became or becomes so eligible, be thirteen dollars seventy-five cents per week;

(c)

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

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(c) the rate of pension payable pursuant to any such provision—

- 5 (i) to a widow or other female who on the first day of October, one thousand nine hundred and sixty-eight, was entitled to a widow's pension under any legislation of the Commonwealth relating to social services and to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week;
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- 25 (ii) to any person other than a widow or other female referred to in subparagraph (i) of this paragraph who on the tenth day of October, one thousand nine hundred and sixty-eight, was entitled to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week.
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*Coal and Oil Shale Mine Workers (Superannuation) Amendment.*

(2) Nothing in subsection one of this section shall affect anything contained in sections 11A and thirteen of this Act.

- 5 (f) (i) by omitting from section twelve the figures “1926–1938” wherever occurring and by inserting in lieu thereof the figures and words “1926, as subsequently amended”; Sec. 12. (No pension while compensation payable.)
- 10 (ii) by omitting from the same section the words “arising out of and in the course of his employment” wherever occurring;
- (iii) by omitting from subsection (2A) of the same section the figures “1926–1948” and by inserting in lieu thereof the figures and words “1926, as subsequently amended”;
- 15 (iv) by inserting at the end of the same subsection the following new paragraph :—
- 20 (c) a mine worker who has received or recovered damages independently of that Act in respect of an injury mentioned in the first column of the table to section sixteen of that Act.
- (g) by inserting at the end of subsection one of section thirteen the following new paragraphs :— Sec. 13. (Deductions from pensions.)
- 25 Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by
- 30 subsequent Acts of that Parliament the amount attributable to age, invalid or widow’s pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under
- 35 this Act shall be equivalent to the amount of age, invalid or widow’s pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

Notwithstanding

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

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- 5 Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—
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- 15 (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- 20 (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.
- 25 (h) by omitting from subsection seven of section fourteen the figures "1926–1938" and by inserting in lieu thereof the figures and words "1926, as subsequently amended"; Sec. 14. (Applications for pensions.)
- 30 (i) by inserting in subsection two of section 19B after the words "applicable to him." the following new paragraphs :— Sec. 19B. (Amount of subsidy.)
- 35 Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount attributable



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

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5 attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age or invalid pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

10 Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount)  
15 payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age or invalid pension under such Social Services Consolidation Act 1947, as  
20 so amended, to be deducted from a pension under this Act shall—

- 25 (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- 30 (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

(2) (a) The amendments made by paragraphs (a), (c) and (d) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have  
35 commenced on the first day of July, one thousand nine hundred and forty-two.

(b)

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

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(b) The amendments made by paragraphs (g) and (i) of subsection one of this section shall be deemed to have commenced upon the twenty-seventh day of September, one thousand nine hundred and sixty-eight.

5           (3) (a) This subsection applies to a person who immediately before the commencement of this Act was, in respect of a child, in receipt of an addition to a pension, or a pension pursuant to subsection one of section ten of the Coal and Oil Shale Mine Workers (Superannuation) Act,  
10 1941-1968.

(b) The increased weekly amount of two dollars fifty cents per week payable pursuant to the amendments made by paragraph (b) of subsection one of this section shall apply to a person to whom this subsection applies—

15           (i) where such person was, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to  
20 the said subsection one of section ten, as from that date; or

          (ii) where such person was not, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt  
25 of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from the date he became eligible for such receipt.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

New South Wales



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 17, 1969.**

An Act to increase the rates of pension payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968; for this and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

**BE**

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

**B**E 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:—

Short title  
and citation.

1. (1) This Act may be cited as the "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969".

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as subsequently amended and as amended by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969.

Amendment  
of Act No.  
45, 1941.

2. (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968, is amended—

Sec. 7.  
(Pension—  
permanent  
incapacity.)

(a) by omitting from paragraph (a) of subsection one of section seven the words "arising out of and in the course of his employment" wherever occurring;

Sec. 9.  
(Pensions—  
additional  
payments in  
respect of  
dependants.)

(b) (i) by omitting from paragraph (b) of subsection one of section nine the words "one dollar fifty cents" wherever occurring and by inserting in lieu thereof the words "two dollars fifty cents";

(ii) by omitting from subsection six of the same section the words "one dollar fifty cents" and by inserting in lieu thereof the words "two dollars fifty cents";

Sec. 10.  
(Pension  
payable to  
dependants.)

(c) by omitting from paragraph (b) of subsection one of section ten the words "arising out of and in the course of his employment";

Sec. 10A.  
(De facto  
wife.)

(d) by omitting from paragraph (b) of subsection one of section 10A the words "arising out of and in the course of his employment";

(e)

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

(e) by inserting next after section 10c the following new section :—

New sec.  
10D.

10D. (1) Notwithstanding any provision of this Act—

Further  
increases in  
pensions and  
additions  
thereto.

(a) the rate of pension payable pursuant to any such provision to any mine worker, who was in receipt of a pension pursuant to subsection one, subsection (1A), subsection two or subsection three of section six, subsection one or subsection (1A) of section seven or subsection one of section eight of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible therefor, shall, as on and from that date or from the date on which he became or becomes so eligible, be sixteen dollars twenty-five cents per week;

(b) the amount of the addition to a pension payable pursuant to any such provision to a mine worker who was entitled to such addition pursuant to paragraph (a) or paragraph (c) of subsection one of section nine of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible for such addition, shall, as on and from that date or from the date on which he became or becomes so eligible, be thirteen dollars seventy-five cents per week;

(c)

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

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(c) the rate of pension payable pursuant to any such provision—

- (i) to a widow or other female who on the first day of October, one thousand nine hundred and sixty-eight, was entitled to a widow's pension under any legislation of the Commonwealth relating to social services and to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week;
- (ii) to any person other than a widow or other female referred to in subparagraph (i) of this paragraph who on the tenth day of October, one thousand nine hundred and sixty-eight, was entitled to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week.

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

(2) Nothing in subsection one of this section shall affect anything contained in sections 11A and thirteen of this Act.

- (f) (i) by omitting from section twelve the figures "1926-1938" wherever occurring and by inserting in lieu thereof the figures and words "1926, as subsequently amended"; Sec. 12. (No pension while compensation payable.)
- (ii) by omitting from the same section the words "arising out of and in the course of his employment" wherever occurring;
- (iii) by omitting from subsection (2A) of the same section the figures "1926-1948" and by inserting in lieu thereof the figures and words "1926, as subsequently amended";
- (iv) by inserting at the end of the same subsection the following new paragraph :—
- (c) a mine worker who has received or recovered damages independently of that Act in respect of an injury mentioned in the first column of the table to section sixteen of that Act.

- (g) by inserting at the end of subsection one of section thirteen the following new paragraphs :— Sec. 13. (Deductions from pensions.)

Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age, invalid or widow's pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

**Notwithstanding**

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

Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

Sec. 14.  
(Applications for pensions.)

- (h) by omitting from subsection seven of section fourteen the figures "1926-1938" and by inserting in lieu thereof the figures and words "1926, as subsequently amended";

Sec. 19B.  
(Amount of subsidy.)

- (i) by inserting in subsection two of section 19B after the words "applicable to him." the following new paragraphs :—

Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount

attributable



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

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attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age or invalid pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount;  
**and**
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

(2) (a) The amendments made by paragraphs (a), (c) and (d) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have commenced on the first day of July, one thousand nine hundred and forty-two.

(b)

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

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(b) The amendments made by paragraphs (g) and (i) of subsection one of this section shall be deemed to have commenced upon the twenty-seventh day of September, one thousand nine hundred and sixty-eight.

(3) (a) This subsection applies to a person who immediately before the commencement of this Act was, in respect of a child, in receipt of an addition to a pension, or a pension pursuant to subsection one of section ten of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968.

(b) The increased weekly amount of two dollars fifty cents per week payable pursuant to the amendments made by paragraph (b) of subsection one of this section shall apply to a person to whom this subsection applies—

- (i) where such person was, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from that date; or
- (ii) where such person was not, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from the date he became eligible for such receipt.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

*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.*

**I. P. K. VIDLER,**  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 26 March, 1969.*

## **New South Wales**



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 17, 1969.**

An Act to increase the rates of pension payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968; for this and other purposes to amend the said Act; to validate certain matters; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

**BE**

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

**L. A. PUNCH,**  
*Chairman of Committees of the Legislative Assembly.*

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

**B**E 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:—

Short title and citation.     **1.** (1) This Act may be cited as the "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969".

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as subsequently amended and as amended by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1969.

Amendment of Act No. 45, 1941.     **2.** (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941–1968, is amended—

Sec. 7. (Pension—permanent incapacity.)     (a) by omitting from paragraph (a) of subsection one of section seven the words "arising out of and in the course of his employment" wherever occurring;

Sec. 9. (Pensions—additional payments in respect of dependants.)     (b) (i) by omitting from paragraph (b) of subsection one of section nine the words "one dollar fifty cents" wherever occurring and by inserting in lieu thereof the words "two dollars fifty cents";

(ii) by omitting from subsection six of the same section the words "one dollar fifty cents" and by inserting in lieu thereof the words "two dollars fifty cents";

Sec. 10. (Pension payable to dependants.)     (c) by omitting from paragraph (b) of subsection one of section ten the words "arising out of and in the course of his employment";

Sec. 10A. (De facto wife.)     (d) by omitting from paragraph (b) of subsection one of section 10A the words "arising out of and in the course of his employment";

(e)

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

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(e) by inserting next after section 10C the following new section :—

New sec.  
10D.

10D. (1) Notwithstanding any provision of this Act—

Further  
increases in  
pensions and  
additions  
thereto.

(a) the rate of pension payable pursuant to any such provision to any mine worker, who was in receipt of a pension pursuant to subsection one, subsection (1A), subsection two or subsection three of section six, subsection one or subsection (1A) of section seven or subsection one of section eight of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible therefor, shall, as on and from that date or from the date on which he became or becomes so eligible, be sixteen dollars twenty-five cents per week;

(b) the amount of the addition to a pension payable pursuant to any such provision to a mine worker who was entitled to such addition pursuant to paragraph (a) or paragraph (c) of subsection one of section nine of this Act on the tenth day of October, one thousand nine hundred and sixty-eight, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, eligible for such addition, shall, as on and from that date or from the date on which he became or becomes so eligible, be thirteen dollars seventy-five cents per week;

(c)

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

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(c) the rate of pension payable pursuant to any such provision—

- (i) to a widow or other female who on the first day of October, one thousand nine hundred and sixty-eight, was entitled to a widow's pension under any legislation of the Commonwealth relating to social services and to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week;
- (ii) to any person other than a widow or other female referred to in subparagraph (i) of this paragraph who on the tenth day of October, one thousand nine hundred and sixty-eight, was entitled to a pension pursuant to section ten or 10A of this Act, or who after that date and before the commencement of the Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1969, became, or who after such commencement becomes, so entitled, shall as on and from that date or from the date on which she became or becomes so entitled, be fifteen dollars twenty-five cents per week.

(2)

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

(2) Nothing in subsection one of this section shall affect anything contained in sections 11A and thirteen of this Act.

- (f) (i) by omitting from section twelve the figures Sec. 12.  
 “1926–1938” wherever occurring and by (No pension while compensation payable.)  
 inserting in lieu thereof the figures and words  
 “1926, as subsequently amended”;
- (ii) by omitting from the same section the words  
 “arising out of and in the course of his  
 employment” wherever occurring;
- (iii) by omitting from subsection (2A) of the same  
 section the figures “1926–1948” and by  
 inserting in lieu thereof the figures and words  
 “1926, as subsequently amended”;
- (iv) by inserting at the end of the same subsection  
 the following new paragraph :—
- (c) a mine worker who has received or  
 recovered damages independently of  
 that Act in respect of an injury  
 mentioned in the first column of the  
 table to section sixteen of that Act.
- (g) by inserting at the end of subsection one of section Sec. 13.  
 thirteen the following new paragraphs :— (Deductions from pensions.)
- Notwithstanding anything contained in this  
 subsection where a pensioner receives or is entitled  
 to receive a pension under section 135U of the  
 Social Services Consolidation Act 1947 of the  
 Parliament of the Commonwealth as amended by  
 subsequent Acts of that Parliament the amount  
 attributable to age, invalid or widow’s pension  
 under such Social Services Consolidation Act 1947,  
 as so amended, to be deducted, during the period  
 such pension is payable, from a pension under  
 this Act shall be equivalent to the amount of age,  
 invalid or widow’s pension, as the case may be,  
 which but for the said section 135U would have  
 been payable to such pensioner.
- Notwithstanding

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


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Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age, invalid or widow's pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; **and**
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

Sec. 14.  
(Applica-  
tions for  
pensions.)

- (h) by omitting from subsection seven of section fourteen the figures "1926-1938" and by inserting in lieu thereof the figures and words "1926, as subsequently amended";

Sec. 19B.  
(Amount of  
subsidy.)

- (i) by inserting in subsection two of section 19B after the words "applicable to him." the following new paragraphs :—

Notwithstanding anything contained in this subsection where a pensioner receives or is entitled to receive a pension under section 135U of the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament the amount  
**attributable**



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

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attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted, during the period such pension is payable, from a pension under this Act shall be equivalent to the amount of age or invalid pension, as the case may be, which but for the said section 135U would have been payable to such pensioner.

Notwithstanding anything contained in this subsection where any pension under the Social Services Consolidation Act 1947 of the Parliament of the Commonwealth as amended by subsequent Acts of that Parliament includes an amount (hereinafter referred to as the additional amount) payable to any person in respect of any child or children under the age of sixteen years of which such person has the care, custody or control the amount attributable to age or invalid pension under such Social Services Consolidation Act 1947, as so amended, to be deducted from a pension under this Act shall—

- (a) if in respect of any such child no pension or addition to a pension is payable under this Act, not include the additional amount; and
- (b) if in respect of any such child a pension or addition to a pension is payable under this Act, include that part of the additional amount as does not exceed the amount of pension or addition to a pension payable under this Act in respect of such a child.

(2) (a) The amendments made by paragraphs (a), (c) and (d) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have commenced on the first day of July, one thousand nine hundred and forty-two.

(b)

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

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(b) The amendments made by paragraphs (g) and (i) of subsection one of this section shall be deemed to have commenced upon the twenty-seventh day of September, one thousand nine hundred and sixty-eight.

(3) (a) This subsection applies to a person who immediately before the commencement of this Act was, in respect of a child, in receipt of an addition to a pension, or a pension pursuant to subsection one of section ten of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1968.

(b) The increased weekly amount of two dollars fifty cents per week payable pursuant to the amendments made by paragraph (b) of subsection one of this section shall apply to a person to whom this subsection applies—

- (i) where such person was, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from that date; or
- (ii) where such person was not, at the date his entitlement to the increased pension under section 10D of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1969, took effect, in receipt of an addition to a pension, or a pension pursuant to the said subsection one of section ten, as from the date he became eligible for such receipt.

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

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 2nd April, 1969.*