

**COAL MINE WORKERS
(PENSIONS)**

4° Elizabeth II., No. XXIV.

No. 24 of 1955.

**AN ACT to amend the Coal Mine Workers
(Pensions) Act, 1943-1951.**

[Assented to 11th November, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Coal Mine Workers (Pensions) Act Amendment Act, 1955*.

Short title
and citation.

(2) In this Act the Coal Mine Workers (Pensions) Act, 1943-1951,

Reprinted
Acts Vol. 5,
1952;
approved for
reprint, 2nd
March, 1951.

Act No. 27 of 1943 as reprinted with amendments to and including Act No. 33 of 1950 incorporated pursuant to the Amendments Incorporation Act,

No. 24.] *Coal Mine Workers (Pensions)*. [1955

1938, and as further amended by Act No. 33 of 1951,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Coal Mine Workers (Pensions) Act, 1943-1955.

S. 2
amended.

2. Subsection (2) of section two of the principal Act is amended—

- (a) by adding after the word, “war” in line three of paragraph (c), the words, “or who is engaged on service under the National Service Act, 1951-1953 of the Commonwealth Parliament or any Act passed in amendment of or substitution for that Act”;
- (b) by adding after the word, “aforesaid” in lines four and five of paragraph (c), the words, “or upon which he commenced service under that Act or any Act passed in amendment of or substitution for that Act, as the case may be,”; and
- (c) by adding after paragraph (c) the following paragraph:—
 - (d) for any period during which he is absent on long service leave awarded under the provisions of the Coal Mining Industry Long Service Leave Act, 1950-1951.

S. 3
amended.

3. Section three of the principal Act is amended by adding before the word, “shall” in line five of subsection (1), the words, “or upon service under the National Service Act, 1951-1953 of the Commonwealth Parliament or any Act passed in amendment of or substitution for that Act,”.

S. 7
amended.
Cf. Socia.
Services
Consolidation
Act, 1947-1953
s. 24, and
Act No. 30
of 1954 of the
C’th, ss. 3,
7, 8, 10, 13
and 14.

4. Subsection (2) of section seven of the principal Act is amended by adding after the word, “reduced” in line eight, the passage, “, except where he is qualified, under the Social Services Consolidation Act, 1947-1954 of the Commonwealth Parliament or any Act passed in amendment of or substitution for that Act, to receive an invalid pension as being a person who is permanently blind,”.

5. Subsection (2) of section eight of the principal Act is amended by adding after the word, "reduced" in line fourteen, the passage, ", except where he is qualified, under the Social Services Consolidation Act, 1947-1954 of the Commonwealth Parliament or any Act passed in amendment of or substitution for that Act, to receive an invalid pension as being a person who is permanently blind,".

S. 8 amended. Cf. Social Services Consolidation Act, 1947-1953, s. 24, and Act No. 30 of 1954 of the C'th, ss. 3, 7, 8, 10, 13 and 14.

6. Section ten A of the principal Act is amended—

S. 10A amended.

- (a) by deleting the words, "or in any occupation or business on his own account" in lines eight and nine of subsection (1);
- (b) by deleting the passage, ", occupation or business" in lines fourteen and fifteen of subsection (1);
- (c) by substituting for the words, "two pounds ten shillings" in line fifteen of subsection (1), the words, "five pounds";
- (d) by deleting the words, "or in any occupation or business on her own account" in lines three and four of subsection (2);
- (e) by deleting the passage, ", occupation or business" in line seven of subsection (2); and
- (f) by substituting for the words, "two pounds ten shillings" in line eight of subsection (2) the words, "five pounds".

7. Section twenty-one of the principal Act is amended by adding after paragraph (e) of subsection (2) the following paragraph:—

S. 21 amended. Par. (e) was added by No. 33 of 1951, s. 6 (a).

- (f) Where by the regulations an owner is required to deduct from the pay of a mine worker employed by the owner, the amount of contribution payable by the mine worker and to pay to the Tribunal the sum of both the amount of the deduction and the amount of the contribution payable by the owner in respect of that deduction,

Cf. Reg. 26, p. 528 *Gazette* of 30/6/1944 and p. 1311 of *Gazette* of 11/5/51.

No. 24.] *Coal Mine Workers (Pensions)*. [1955.

Cf. s. 29
post.

(i) if it appears to the Tribunal that for any reason the owner cannot or could not make the deduction, the Tribunal shall exempt the owner from liability to pay the sum of both those amounts;

Cf. No. 30 of
1918, s. 4,
"Person"
includes a
body cor-
porate.

(ii) if it appears to the Tribunal that any person has ceased to be an owner or mine worker and cannot be located, the Tribunal may write off the amount of any contributions due and unpaid by the person.
