

## MEMBERS OF PARLIAMENT FUND.

8° and 9° GEO. VI., No. XXVI.

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No. 26 of 1944.

### AN ACT to amend the Members of Parliament Fund Act, 1941.

[Assented to 23rd December, 1944.]

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

Short title.

1. This Act may be cited as the *Members of Parliament Fund Act Amendment Act, 1944*, and shall be read as one with the Members of Parliament Fund Act, 1941, hereinafter called the principal Act.

Amendment  
of s. 3 of  
principal  
Act.

2. Section three of the principal Act is amended by deleting therefrom the definition of "Loss of membership" and inserting a new definition as follows:—

"Loss of membership" includes cessation of membership through death, disqualification, resignation, defeat at the poll, failure to nominate for re-election or by reason of any other cause whatsoever whether *ejusdem generis* with the foregoing or otherwise, but a member shall not be deemed to have lost his seat by dissolution of the Legislative Assembly if he is elected to the next succeeding Parliament, or in the case of a member of the Legislative Council by expiration of his term if he is elected immediately thereafter for a further term.

3. A new section is inserted in the principal Act as follows:— New section.

7A. The right or interest of any member in the fund or any payment, compensation or benefit payable thereout shall not be in any way assigned or charged or passed by operation of law to any person other than the member or his dependants as the case may be, in accordance with the provisions of the schedule to this Act, and any moneys payable out of the Fund on the death of a member shall not be assets for the payment of his debts or liabilities.

4. The schedule to the principal Act is amended— Amendment of the schedule to the principal Act.

(a) by deleting all the words after and including the phrase "If the deceased" in line seven of clause three and substituting—

If the deceased member does not execute a nomination form and leaves no widow or children surviving, payment shall be made to the person or persons entitled in distribution of the estate of the deceased member in the same manner and proportion as if such moneys formed portion of the estate of the said deceased. In any other case the payment otherwise due shall accrue for the benefit of the fund.

(b) by inserting a new clause as follows:—

(4) The decision of the Trustees as to the person or persons entitled to any payment out of the Fund or the amount or proportion of such payment or any other relevant matter shall be final and binding and not subject to the jurisdiction of any tribunal or court of law.

5. This Act shall operate and take effect and shall be deemed to have operated and to have had effect as from and including the first day of July, One thousand nine hundred and forty-four. Operation of the Act.

6. The principal Act as amended by this Act may be cited as the Members of Parliament Fund Act, 1941-1944. Citation of principal Act as amended.