



# Government Gazette

OF

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[ 1966

Crown Law Department,  
Perth, 7th April, 1966.

THE undermentioned Regulations made under the provisions of the Coal Mine Workers (Pensions) Act, 1943-1965, and amended from time to time prior to 10th June, 1965, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,  
Under Secretary for Law.

COAL MINE WORKERS (PENSIONS) ACT, 1943-1965.

### REGULATIONS

Published in the *Government Gazette* on the 30th June, 1944, and incorporating the amendments thereto published in the *Government Gazette* on the 21st July, 1944, 29th June, 1945, 28th January, 1949 and the 11th May, 1951, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed for the purposes of this reprint to be amendments to the regulations and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by Authority of the Minister, dated 7th April, 1966.

COAL MINE WORKERS (PENSIONS) ACT,  
1943—REGULATIONS.

Preliminary.

1. These regulations may be cited as "The Coal Mine Workers (Pensions) Regulations, 1944" and shall come into operation on the first day of July, 1944.

2. These regulations are divided into parts as follows:—Part I.—Duties of Mine Workers and Owners; Part II.—Retirements and suspension of dates of retirements; Part III.—Pensions; Part IV.—The Fund; Part V.—Contributions; Part VI.—Miscellaneous.

Amended  
by G.G.  
21/7/44,  
p. 600.  
G.G. 11/5/51,  
p. 1311.

3. (a) In the regulations, unless the context otherwise indicates, the several terms defined in section 2 of the Coal Mine Workers (Pensions) Act, 1943, shall have the meanings respectively assigned to them, and in addition—"the Act" means the Coal Mine Workers (Pensions) Act, 1943, and any Act amending the same, and all Proclamations and Orders in Council thereunder; "Dependant" means any of the persons mentioned in subsections (1), (3), (4), (5) and (6) of section 9 and in subsection (3) of section 10 of the Act in respect of whom a mine worker is eligible for an addition to his pension; "the Fund" means the Coal Mine Workers' Pensions Fund established under the Act; "Pension Fortnight" means the fortnight which will end on 14th July, 1944, or each succeeding fortnight, unless otherwise directed by the Tribunal.

(b) [Deleted by G.G. 11/5/51, p. 1311.]

(c) [Inserted by G.G. 21/7/44, p. 600. Deleted by G.G. 11/5/51, p. 1311.]

PART I.

Duties of Mine Workers and Owners.

4. Every mine worker and every person who may hereafter become a mine worker shall within 14 days of the coming into force of these regulations, or of the date of his becoming a mine worker, as the case may be, complete in detail, sign and deliver to the owner by whom he is employed a return of employment as prescribed in the form of Appendix No. 1 of these regulations.

Added  
by G.G.  
28/1/49,  
p. 194.  
Amended  
by G.G.  
11/5/51,  
p. 1311.

4A. (a) From and after the date of the publication of this regulation in the *Government Gazette*, no person shall accept or continue in employment in or about a coal mine within the State unless—

- (i) he has been continuously so employed as aforesaid since a date prior to the eighth day of January, 1949, and has not ceased to be so employed (otherwise than by absence with leave, whether with or without pay); or
- (ii) he shall have become first employed, or, having ceased such employment shall have become re-employed, in or about a coal mine within the State on a date between the eighth day of January, 1949, and the date of the publication of this regulation in the *Government Gazette* (both dates inclusive), and shall, within the month next following the date of publication aforesaid, deliver to his employer the certificate referred to in the next succeeding sub-regulation; or
- (iii) he shall intend to become employed or re-employed in or about a coal mine within the State on a date subsequent to the date of publication aforesaid and shall, prior to commencing his employment or re-employment, as the case may be, deliver to his employer the certificate referred to in the next succeeding sub-regulation.

(b) The certificate referred to in the last preceding sub-regulation shall be a certificate in the form M.P. 16 shown in Appendix "A" to this regulation signed by a duly qualified medical practitioner of the State and certifying that he has, within one week prior to the date of the certificate, medically examined the person referred to therein, and that either—

- (i) such person is in all respects fit for work in or about a coal mine within the State and is free from disease and all mental and physical disability for work as a mine worker, or—
- (ii) although such person is not free from disease and all mental and physical disability for work as a Mine Worker he could be employed in such work without being likely to affect prejudicially the health of any other person so employed, and the nature of such work is not likely to aggravate such disease or disability so as to prevent him from continuing in employment as a Mine Worker or being employed in full-time employment in any other work.

(c) Unless the certificate is dated within the month immediately preceding the employment or re-employment referred to in the last preceding sub-regulation, it shall, for the purposes of this regulation, be of no force or effect.

(d) A person who fails to deliver the Certificate certifying to the matters referred to in sub-paragraph (i) or sub-paragraph (ii) of paragraph (b) of this regulation within the time aforesaid shall not accept or continue employment as aforesaid. Provided that if the Certificate does not certify to the matters referred to in the said sub-paragraph (i) but does certify to the matters referred to in sub-paragraph (ii) such person may accept or continue employment as aforesaid but shall be eligible only for the benefits under and in accordance with the subsection (7) of section 21 of the Act.

(e) No owner, manager or other person authorised to employ persons in or about a coal mine within the State shall employ or continue to employ in or about a coal mine a person who, being required by this regulation to deliver a certificate, fails to deliver the same in the form and within the time required by this regulation.

Mine Worker to furnish documentary evidence of the dates of birth of himself and dependants and of marriage.

5. Every mine worker shall, if and when required by the Tribunal so to do, furnish to the Tribunal in such form as the Tribunal may specify documentary evidence of his own age and the ages of his dependants, and, if he is married, of his marriage.

Absence from State.

6. Any mine worker who leaves his employment and departs from the State of Western Australia for any purpose other than war service as referred to in subsection (1) of section 3 of the Act shall, within 30 days after his return, notify the Tribunal in writing of the dates between which he was so absent from Western Australia, and, if during such absence he was engaged in employment, the name and address of his employer, the class of such employment, and the period during which he was employed.

Absence on War Service.

7. Any person who has been absent from his employment in Western Australia upon war service as referred to in subsection (1) of section 3 of the Act shall within 30 days after his discharge from such war service, notify the Tribunal in writing of the dates between which he was so absent from his employment.

Workers' Compensation or Damages claimed independently of Workers' Compensation Act.

8. (a) Every mine worker who has been incapacitated by injury shall within 30 days after he becomes aware that his claim for compensation under the Workers' Compensation Act, 1912-1941,<sup>1</sup>

<sup>1</sup> Now Workers' Compensation Act, 1912-1965.

Amended  
by G.G.  
11/5/51,  
p. 1311.

or his claim for damages made independently of the Workers' Compensation Act, 1912-1941,<sup>1</sup> has been admitted, notify the Tribunal in writing of such admission.

(b) [Deleted by G.G. 11/5/51, p. 1311.]

#### Notification of Accident.

9. Every owner shall within 14 days after the occurrence of any accident whereby any mine worker employed by such owner is killed or injured at any mine of the owner furnish or cause to be furnished to the Tribunal full written details of such accident including the date thereof, whether the mine worker was killed or injured, the amount of compensation being paid or payable under the Workers' Compensation Act, 1912-1941,<sup>1</sup> and in the case of injury the nature of same and the period or anticipated period of incapacity as a result of such accident.

Owner to forward returns of employment to Tribunal.

10. Every owner shall within 14 days of the receipt by him from any mine worker of a return of employment, as required under regulation 4 of these regulations, forward it to the Tribunal.

Owner to furnish general information.

11. Every owner shall, within 14 days after being required in writing by the Tribunal so to do, furnish or cause to be furnished to the Tribunal such information (including documentary evidence) in respect of any mine worker then or theretofore employed by him as the Tribunal may from time to time deem necessary to enable the Tribunal to record the career of or to consider an application for a pension from such mine worker.

#### Record of Employment.

12. (a) Every owner who employs any mine worker shall keep at his place of business, or, if he has more than one place of business, at the place of business where the mine worker is employed, proper records in which he shall record or cause to be recorded the following particulars in respect of each mine worker employed by him:—  
(i) Full name; (ii) Date of birth; (iii) Date of commencement of employment; (iv) Date of cessation of employment; (v) Reason for cessation of employment; (vi) Number of days actually worked.

(b) Within seven days of any owner ceasing to employ a mine worker, such owner shall furnish or cause to be furnished to the Tribunal a statement in writing setting forth the name in full of the mine worker whom he has ceased to employ, the date of cessation of employment and the reason therefor, and shall, unless otherwise directed by the Tribunal, annex to such statement a copy of the record of employment of the mine worker concerned kept by the owner in accordance with this regulation.

## PART II.

### Retirements or Suspensions of Dates of Retirement.

Owner to notify Date of Retirement of Mine Worker.

13. Every owner shall within seven days after the retirement of any mine worker of or above the age of 60 years employed by him furnish or cause to be furnished to the Tribunal a statement in writing setting forth the name of the mine worker concerned, the place of employment and the date of retirement of such mine worker and any other information required by the Tribunal for the purposes of the Act.

Application for Suspension of Date of Retirement.

14. (a) An application for the suspension of the operation of subsections (1) and (2) of section 5 of the Act requiring the retirement of mine workers of or above the age of 60 years may be made by:—(i) A mine worker or mine workers, or (ii) An owner or owners, or (iii) An industrial or trade union of employees or an association of employees referred to in paragraph (g) of subsection (1) of section 2 of the Act.

<sup>1</sup> Now Workers' Compensation Act, 1912-1965.

(b) Every such application shall be in writing and shall set forth the reasons therefor and shall be lodged with the Tribunal not less than 30 days prior to the date upon which the mine worker mentioned in such application would in the ordinary course of events retire, or, if more than one mine worker is mentioned in such application, not less than 30 days prior to the date upon which the first of such mine workers would in the ordinary course of events retire.

#### Certificate of Exemption.

15. Every Certificate of Exemption issued by the Tribunal in pursuance of the provisions of subsection (4) of section 5 of the Act shall be as prescribed in the form of Appendix No. 2 or Appendix No. 3 of these regulations, whichever of the two appendices shall be applicable.

### PART III.

#### Pensions.

##### Application for Pension.

16. Every application for pension shall be lodged with or forwarded to the Tribunal and shall be in the form or to the effect of the forms of the Appendices numbered four to eight of these regulations as is appropriate to the application, and there shall, in verification of the statements in such application, be furnished by the applicant to the Tribunal such documents or other information as the Tribunal may require.

##### Notification of Allowance or Disallowance of Pension.

17. The Tribunal shall notify every applicant for a pension under the Act of its decision and, where any application is referred to the Court of Arbitration constituted under the Industrial Arbitration Act, 1912-1941,<sup>1</sup> the reasons for such reference.

##### Notification by Pensioners or Others.

18. (a) Every mine worker or other person to whom a pension has been awarded shall within seven days after the death or the attainment of the age of 16 years or the cessation of dependency of any dependant in respect of whom any amount is payable as an addition to his pension furnish to the Tribunal a statement in writing signed by such mine worker or other person setting forth the name of the dependant and the date of the death, attainment of the age of 16 years, or cessation of dependency (as the case may be) of such dependant.

(b) Every widow or other female to whom a pension has been awarded in pursuance of section 10 of the Act shall within seven days after her remarriage or marriage (as the case may be) furnish to the Tribunal a statement in writing signed by such widow or other female setting forth the name in which the pension was granted to her and the date of her remarriage or marriage (as the case may be).

(c) Any person who has been awarded a pension under the Act or to whom such pension is paid shall furnish to the Tribunal such information for the purposes of the Act as the Tribunal may from time to time require.

##### Disclosure of other Pensions, Allowances or Earnings Received.

19. Every person to whom a pension is payable under the Act shall make full and complete disclosure to the Tribunal in relation to any amounts which, by the Act, are directed to be deducted from the pension so payable and shall make such disclosure in such manner and at such times as the Tribunal may direct either generally or in any particular case or class of case.

19A. The average weekly amount which a mine worker or his widow or female dependant, who has been awarded a pension under the Act, earns from employment or from any occupation or business on his or her own account, shall be the amount ascertained by dividing the total amount of such earnings during such period as may be determined by the Tribunal by the total number of weeks in that period.

Added  
by G.G.  
29/6/45,  
p. 606.

<sup>1</sup> Now Industrial Arbitration Act, 1912-1963.

Determination of Period of Disqualification where Damages received or recovered by Mine Worker or by Dependant independently of Workers' Compensation Act.

Amended  
by G.G.  
11/5/51,  
p. 1311.

20. (a) The period of disqualification under subsection (3) of section 12 of the Act shall commence on and from the day following the day on which the Mine Worker ceased work as a result of the injury in respect of which damages are received or recovered and shall continue during the number of weeks and part of a week ascertained by dividing that part of the damages which is apportioned by the Court, before which damages are recovered, as compensation for such injury or death by the maximum weekly amount of compensation payable under the Workers' Compensation Act, 1912-1949.<sup>1</sup>

(b) Where the mine worker would be entitled to damages independently of the Workers' Compensation Act, 1912-1941,<sup>1</sup> the disqualification shall continue until he makes a claim for such damages, and thereafter until such disqualification ceases to have effect pursuant to clause (a) of this regulation.

#### Payment of Pensions.

Amended  
by G.G.  
11/5/51,  
p. 1311.

21. (a) The date from which a pension under the Act shall commence shall be either—(i) The day following the date of retirement or death, or (ii) The day following the date of expiration of the period equivalent to paid annual leave granted to a mine worker of his dependants before or after the date of retirement or the date of death (as the case may be) and/or the date of expiration of the period of disqualification prescribed in section 12 of the Act, whichever date is the later.

(b) Where a mine worker has been granted a pension and is re-employed as a mine worker the pension payable to such mine worker shall be cancelled for the period he is so employed and contributions shall be payable for such period.

(c) Pensions shall be payable in each alternate week on such day as the Tribunal may from time to time determine.

(d) The amount of pension in respect of one day shall be one-twelfth of the fortnightly amount of such pension.

(e) Pensions shall be paid by means of cheques crossed "not negotiable" and made payable to order.

#### Change of Address of Pensioner.

22. Any person to whom a pension has been awarded shall within three days after any change in his address notify the Tribunal of such change of address and of the address to which all payments and communications should in future be addressed.

#### PART IV.

##### The Fund.

23. Debits against the Fund shall be made only upon the certification of the Chairman or other Certifying Officer of the Tribunal. Payments from the Fund shall be by cheques signed by the officers of the Treasury Department who are from time to time authorised to sign cheques.

#### PART V.

##### Contributions—Estimate of Requirements.

Substituted  
by G.G.  
28/1/49,  
p. 194-5.

24. An estimate of the amount required by the Fund shall be furnished to the Tribunal by the Actuary, as specified in section 21 of the Act, such estimate to state the yearly amounts required for payment of pensions and for the provision of a reserve.

25. [Revoked by G.G. 11/5/51, p. 1311.]

<sup>1</sup> Now Workers' Compensation Act, 1912-1965.

Manner of Payment of Contributions by Individual Mine Owners.

26. (a) Within three days (or such further time as the Tribunal may approve) after each pay-day on which in accordance with the notification received by him from the Tribunal under regulation 28 he is required to deduct from each mine worker employed by him the amount of such mine worker's contribution, every owner shall forward to the Tribunal the amount prescribed by the Act, or by proclamation made under subsection (8) of section 21 of the Act, in respect of each mine worker employed by him in that fortnight. The first of such pay-days shall be the seventh day of July, 1944.

Amended  
by G.G.  
11/5/51,  
p. 1311.

27. [Revoked by G.G. 11/5/51, p. 1311.]

Manner of Payment of Contributions by Individual Mine Workers.

28. (a) All contributions of mine workers shall be payable by fortnightly instalments.

Amended  
by G.G.  
29/6/45,  
p. 606;  
G.G. 11/5/51,  
p. 1311.

(b) [Deleted by G.G. 11/5/51, p. 1311.]

(c) The amount of the fortnightly instalments from time to time payable by each individual mine worker shall be deducted by each owner on each pay-day from the amount payable by such owner to any mine worker employed by him, the first of such deductions to be made from the wages paid on the seventh day of July, 1944.

(d) Within three days (or such further time as the Tribunal may approve) after the deduction by any owner of the amount of any fortnightly instalment payable by a mine worker, such owner shall complete and forward to the Tribunal a return of mine workers' contributions in such form as the Tribunal shall direct and shall with such return forward to the Tribunal all instalments of mine workers' contributions deducted or collected by him.

(e) Where a person, after the commencement of Part IV of the Act, is employed as a mine worker, the initial contribution payable by such mine worker shall be for the full period of the pension fortnight in which his employment commences.

(f) Before a pension under the Act shall become payable, contributions shall be paid by a mine worker up to and including the pension fortnight immediately preceding the pension fortnight in which the commencing date of the pension falls; Provided that, in the case of the death of a mine worker, contributions shall not be payable after the pension fortnight immediately preceding the pension fortnight in which the death of such mine worker occurred.

(g) A mine worker, the total of whose earnings during a pay period is less than the amount of the basic wage for the district for such period, shall not be eligible to elect under subsection (5) of section 21 of the Act if the normal rate of his pay per shift is equal to or greater than the said basic wage.

(h) Where a mine worker, who elects under subsection (5) of section 21 of the Act, receives a rate of pay equal to or greater than the basic wage for one or more shifts during any pay period, he may continue to contribute at the reduced rate prescribed, provided that his normal rate of pay is less than the basic wage.

Unpaid Contributions due by Mine Workers.

29. Where through no fault of a mine worker his contributions fall into arrear, the Tribunal on his application may permit the amount of such arrears to be paid in instalments or in such other manner as it may determine and the Owner shall deduct the whole or such portion of the arrears as authorised by the Tribunal from the amount payable to such mine worker on one or more pay-days.

Payment of Contributions by Unemployed Mine Workers.

30. Any mine worker shall, during any period he is not employed as a mine worker, pay to the owner by whom he was employed immediately prior to his becoming unemployed as a mine worker the fortnightly instalments payable by such mine worker in pursuance of the Act and these regulations.

PART VI.

Miscellaneous—Penalty for Breach of Regulations.

31. Any owner, mine worker or other person who fails, neglects or refuses to comply with the provisions of these regulations or any of them shall be guilty of a breach of these regulations and shall be liable to a penalty not exceeding forty dollars.

Forms.

32. The forms set forth in the Appendix to these regulations with such modifications as the circumstances may require shall be used for the purpose for which the same are respectively applicable: Provided that no form shall be deemed to be invalid if it is to the effect of the prescribed form with such modifications as the circumstances may require.

APPENDIX No. 1.

Western Australia.

Coal Mine Workers (Pensions) Act, 1943.

MINE WORKER'S RETURN OF EMPLOYMENT.

This form must be completed by each Mine Worker and promptly returned through the Mine Manager.

Date received by Owner.....19..... Mine Worker's No.....  
 Date received by Tribunal.....19..... Owner's No.....

Personal Particulars.

Name in full.....  
 (Surname first in BLOCK letters.)

Date of Birth—Day..... Month..... Year..... Age (next birthday).....years.

Proved by Certificate/Extract No..... Official Entry No..... State or Country.....  
 (Proof of the date of birth by production of Birth Certificate or Extract from Birth Entry should accompany this form.)

Classification..... Mine..... Owner.....

Private Address.....

Married/Single/Widower/Divorcee/Separated.....

\*If Married—Date of Birth of Wife.....and Date of Marriage.....

Full Name of Wife—Christian Names..... Maiden Surname.....  
 If previously married, state Surname.....

\*If Married or Widower show Names and Dates of Birth of Children under 16 years of age, totally or mainly dependent.

| Christian Names | Date of Birth | State whether Totally or Mainly Dependent |
|-----------------|---------------|---|
| 1.....          |               |   |
| 2.....          |               |   |
| 3.....          |               |   |
| 4.....          |               |   |
| 5.....          |               |   |
| 6.....          |               |   |

\* Each married employee will be required to produce Marriage Certificate and to furnish to the Tribunal evidence of the date of birth (by production of Birth Certificate or Extract from Birth Entry) in the case of his wife and each child.

Particulars of Employment.

- (1) I was first employed as a Mine Worker in this State at the..... Mine, the period of such employment being from..... to.....
- (2) Full particulars of my employment as a Mine Worker since my first employment as such are shown in Table I on the back hereof.
- (3) Since my first employment as a Mine Worker, I have worked (not at a coal mine) for the periods shown in Table II on the back hereof. (If not employed at any other employment, show "Nil" on Table.)



Particulars of Residence in this State.

During the past seven years I have resided continuously in Western Australia, for the periods shown in Table III on the back hereof.

Date.....19..... Signature.....

To be filled in by Responsible Mine Official { Commencing date of contributions, P.F. No..... ending.....  
 { First deduction covering P.F. Nos..... to.....  
 { made in P.F. No..... ending.....

For Tribunal { Checked..... Date..... M.P. 22 sent.....  
 Records only { Entered M.P. 11..... M.P. 23..... M.P. 35..... M.P. 41..... M.P. 42.....  
 Initials..... Date.....19.....

[On Back.]

Table I—Employment as Mine Worker.

(Absence on war service, Award holiday, annual leave, or through sickness or accident not due to a Mine Worker's own fault, will be considered as employment.)

| (1)   | (2)<br>Name of Mine | (3)<br>Classifica-<br>tion | (4)<br>Total Period<br>Working or<br>Seeking Work |                        | (5)<br>Period actually<br>Employed<br>(omitting periods<br>of unemployment) |                        | (6)<br>Initials<br>of<br>Mine<br>Official |
|---|---------------------|----------------------------|---|------------------------|---|------------------------|---|
|   |                     |                            | From<br>(insert<br>date)                          | To<br>(insert<br>date) | From<br>(insert<br>date)  | To<br>(insert<br>date) |   |
| (a) At the<br>.....<br>Mine                                   |                     |                            |   |                        |   |                        |   |
| (b) At other Coal<br>Mines in this<br>State                   | (i).....            |                            |   |                        |   |                        |   |
|   | (ii).....           |                            |   |                        |   |                        |   |
|   | (iii).....          |                            |   |                        |   |                        |   |
|   | (iv).....           |                            |   |                        |   |                        |   |
|   | (v).....            |                            |   |                        |   |                        |   |
| (c) At Coal Mines in<br>other States dur-<br>ing past 7 years | (i).....            |                            |   |                        |   |                        |   |
|   | (ii).....           |                            |   |                        |   |                        |   |
|   | (iii).....          |                            |   |                        |   |                        |   |

To be filled in by Responsible Mine Official { I have checked as far as possible the above state-  
 { ments of periods of employment as a Mine  
 { Worker and have initialed in Column (6)  
 { opposite those I have verified as correct.

Signature..... Classification..... Date.....19.....

Table II—Employment other than as Mine Worker.

| Name and Address of Employer | Nature of Work performed<br>for such Employer | Period of such Employment |                   |
|------------------------------|---|---------------------------|-------------------|
|                              |   | From (insert dates)       | To (insert dates) |
| (1)                          | (2)   | (3)                       | (4)               |
| 1.....                       |   |                           |                   |
| 2.....                       |   |                           |                   |
| 3.....                       |   |                           |                   |
| 4.....                       |   |                           |                   |
| 5.....                       |   |                           |                   |

Table III—Periods of Continuous Residence in Western Australia.  
(During past seven years.)

| *In Western Australia |                   | Outside Western Australia |                   |
|-----------------------|-------------------|---------------------------|-------------------|
| From (insert dates)   | To (insert dates) | From (insert dates)       | To (insert dates) |
| (1)                   | (2)               | (3)                       | (4)               |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |
|                       |                   |                           |                   |

\* Where on war service show "on war service."

I am forwarding the following documents with this form:—

I am obtaining the following documents, which will be forwarded to the Tribunal when received:—

Signature..... Date..... 19.....

APPENDIX No. 2.

Form M.P. 48.

Western Australia.

Coal Mine Workers' Pensions Tribunal.

CERTIFICATE OF EXEMPTION.

It is hereby certified that, in accordance with section 5, subsection (4), paragraphs (a) (i) and (a) (ii) of the Coal Mine Workers (Pensions) Act, 1943, the operation of subsections (1) and (2) of section 5 of the Act, prohibiting the employment of Mine Workers, as defined by the Act, of or above the age of sixty years, has been suspended in respect of the employment of the under-mentioned Mine Worker, for the period and on the conditions (if any) mentioned hereunder:—

Mine Worker's No.....

Owner's No.....

Name of Owner.....

Name of Mine.....

Name of Mine Worker.....

Date of Birth..... Classification.....

Period of Exemption—From..... To.....

Conditions.....

Dated at Perth this..... day of..... 19.....

.....Chairman.

.....Registrar.



- (3) I was first employed as a Mine Worker at the.....Mine in Western Australia from....., 19...., to....., 19....  
(Name of Mine)  
(Date) (Date)
- (4) The last day of my employment \* .....day of ..... 19....  
(Day)  
(Month) (Year)
- (5) The total period during which I have been engaged in the Coal Mining Industry is.....years.....months.....days in all. (Particulars of such employment are shown in Table I on the back hereof.)
- (6) The total period during which I have been engaged in employment other than in the Coal Mining Industry during the ten years immediately preceding.....(c) is.....years.....months.....days. (Particulars of such employment are shown in Table II on the back hereof.)  
(a) Christian name or names and surname of Declarant in full.  
(b) Address. \*Delete whichever is not applicable. (c) If retired prior to 1/7/1944 show that date. If retired after 1/7/1944, show date of actual retirement.
- (7) The total period during which I have been unemployed since I was first employed as a Mine Worker is.....years.....months.....days. (Particulars of such unemployment are shown in Table III on the back hereof.)
- (8) I have been resident in the State of Western Australia for.....years.....months.....days out of the seven years immediately preceding the date of my retirement. (Particulars of the periods of my residence in Western Australia and outside Western Australia are shown in Table IV on the back hereof.)
- (9) I and my dependants receive, or are entitled to receive, the following amounts by way of Invalid, Widow's, Old Age, or War Pensions, or as Endowment under the Commonwealth Child Endowment Act, 1941, or as Workers' Compensation:—

| Description of Benefit                                     | Weekly Amounts Received or Receivable by— |  |
|--|---|--|
|  | Mine Worker                               | Mine Worker's Wife or Female Relative over 16 years, Totally or Mainly Dependent |
|  | \$  | \$   |
| (i) Old Age Pension .....                                  | .....                                     | .....  |
| (ii) Invalid Pension .....                                 | .....                                     | .....  |
| (iii) Widow's Pension.....                                 | .....                                     | .....  |
| (iv) War Pension .....                                     | .....                                     | .....  |
| (v) Child Endowment .....                                  | .....                                     | .....  |
| (vi) Worker's Compensation .....                           | .....                                     | .....  |
| (vii) Damages Independently of Worker's Compensation ..... | .....                                     | .....  |
| Total .....  | \$ .....                                  | .....  |

(10) Personal particulars of Myself and Dependants are shown in Table V on the back hereof.

And I make this solemn declaration by virtue of section one hundred and six of the Evidence Act, 1906.

10c  
Revenue  
Stamp  
to be  
affixed.

Declared at.....  
 this.....day of.....19....  
 before me,  
 .....  
 Justice of the Peace.

.....  
 Ordinary Signature of  
 Declarant.

[On Back.]

Tables Referred to in Declaration.

(If insufficient room in Schedules, show further details on separate sheets, to be attached to this form.)

Table I—Periods Engaged in Coal Mining Industry.

(Lawful absence from work on Award holidays, or annual leave, or through sickness or accident not due to the Mine Worker's own fault shall be deemed to be actual work in or about a coal mine.)

| (1)   | (2)<br>Name of Mine | (3)<br>Classification | (4)<br>Period of Employment |                     |
|---|---------------------|-----------------------|-----------------------------|---------------------|
|   |                     |                       | From<br>(insert date)       | To<br>(insert date) |
| (a) At Mine where employed immediately preceding retirement | (i).....            |                       |                             |                     |
|   | (ii).....           |                       |                             |                     |
| (b) At other Coal Mines in Western Australia                | (i).....            |                       |                             |                     |
|   | (ii).....           |                       |                             |                     |
|   | (iii).....          |                       |                             |                     |
| (c) At Coal Mines in other States of Australia              | (i).....            |                       |                             |                     |
|   | (ii).....           |                       |                             |                     |
| (d) On War Service (state Nature of Service in column (2))  | (i).....            |                       |                             |                     |
|   | (ii).....           |                       |                             |                     |

Table II—Periods Engaged in Employment other than in Coal Mining Industry during Ten Years immediately preceding .....\* (date).

(\*If retired prior to 1st July, 1944, show that date. If retired after 1st July, 1944, show actual date of retirement.)

| Name of Employer | Address of Employer | Nature of Employment | Period of Employment  |                     |
|------------------|---------------------|----------------------|-----------------------|---------------------|
|                  |                     |                      | From<br>(insert date) | To<br>(insert date) |
|                  |                     |                      |                       |                     |
|                  |                     |                      |                       |                     |
|                  |                     |                      |                       |                     |

Table III—Periods of Unemployment.

(Do not include absence on War Service, or lawful absence on Award holidays, annual leave, or absence through sickness or accident not due to the Mine Worker's own fault.)

| Place of Employment immediately prior to becoming Unemployed. | Periods of Unemployment |                  |
|---|-------------------------|------------------|
|   | From (insert date)      | To (insert date) |
|   |                         |                  |
|   |                         |                  |
|   |                         |                  |



Statutory Declaration.

I (a)....., of (b)....., in the State of Western Australia, being a Mine Worker within the meaning of the Coal Mine Workers (Pensions) Act, 1943, hereby apply for a Pension under section 7 of the Act, and do solemnly and sincerely declare that to the best of my knowledge and belief the following information is true and correct in every particular:—

- (1) The Date of my Birth was..... day of..... (Day) (Month) (Year)
- (2) I was injured in the course of my employment on..... (Date)
- (3) At the time of the Injury I was employed as (c)..... on the (d)..... mine.
- (4) The nature of my Injuries was.....
- (5) I attach Medical Certificate(s) from Dr.....
- †(6) By reason of the Injuries received I was Totally Incapacitated and unable to continue as a Mine Worker or work in any other capacity from..... to.....; or (Date) (Date)
- †(7) By reason of the Injuries received, I was partly incapacitated and have been employed for the period shown in Table I on the back hereof.
- (8) My injuries were not intentionally self-inflicted.
- (9) The Average Weekly Amount which I now earn is \$.....
- (10) I { Have received } (e) { Worker's } (f) as a result of the { Am receiving } { Compensation } { Damages } { Am entitled to receive }

Injuries received. Particulars are shown in Table II on the back hereof.  
 (a) Christian name or names and surname of declarant. (b) Address.  
 (c) Insert classification. (d) Insert name of mine. (†) Delete whichever is not applicable. (e) Delete whichever is not applicable. (f) Delete whichever is not applicable.

- (11) I and my Dependants receive or are entitled to receive the following amounts by way of Invalid, Widows', Old Age or War Pension, or as Endowment under the Commonwealth Child Endowment Act, 1941:—

| Description of Benefit      | Weekly Amounts Received or Receivable by— |   |
|-----------------------------|---|---|
|                             | Mine Worker                               | Mine Worker's Wife or Female Relative over 16 years Totally or Mainly Dependent |
|                             | \$  | \$  |
| (i) Old Age Pension .....   | .....                                     | .....   |
| (ii) Invalid Pension .....  | .....                                     | .....   |
| (iii) Widows' Pension ..... | .....                                     | .....   |
| (iv) War Pension .....      | .....                                     | .....   |
| (v) Child Endowment .....   | .....                                     | .....   |

- (12) Personal particulars of Myself and Dependants are shown in Table III on the back hereof. And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

10c  
Revenue  
Stamp  
to be  
affixed.

Declared at..... }  
 this.....day of.....19.... }  
 before me, }  
 ..... }  
 Justice of the Peace. }

Ordinary Signature of Declarant.





(6) If Married or Widower, show Names and Dates of Birth of Children under 16 years of Age, and whether Totally or Mainly Dependent:—

| Christian Names | Date of Birth | Show whether Totally or Mainly Dependent |
|-----------------|---------------|--|
| (i).....        |               |  |
| (ii).....       |               |  |
| (iii).....      |               |  |
| (iv).....       |               |  |
| (v).....        |               |  |
| (vi).....       |               |  |

Note.—If Mine Worker has not already furnished Birth Certificates for Himself, Wife and Children, and the Marriage Certificate, the documents must be furnished before a Pension would be payable.

Form M.P. 60.

APPENDIX No. 6.

Western Australia.

Coal Mine Workers (Pensions) Act, 1943.

APPLICATION FOR PENSION BY WIDOW OR DEPENDANT OF DECEASED PENSIONER OR MINE WORKER.

(Section 10 of Act—Regulation No. 16.)

Mine Worker's No.....  
 Owner's No.....  
 Pension No.....  
 Date received by Tribunal.....

To be furnished by:—

- \* (i) The widow or dependant of a deceased Mine Worker who has been granted a pension under sections 6, 7, or 8 of the Act, or
- \* (ii) The widow or dependant of a deceased Mine Worker whose death was caused by injury received in the course of his employment.

\*Delete whichever is not applicable.

Statutory Declaration.

I (a).....  
 of (b).....in the State of Western Australia,  
 being (c).....of (d).....  
 \*who was a Mine Worker at the.....Mine;  
 \*who was awarded a pension under the Coal Mine Workers (Pensions) Act, 1943; and is now deceased, hereby apply for a pension under section 10 of the Act for myself (\*) and for the dependants whose names are set out on the back hereof, and do solemnly and sincerely declare that to the best of my knowledge and belief the following information is true and correct in every particular:—

- (1) The deceased died from \*  

|                |   |   |
|----------------|---|---|
| Natural causes | } | Injuries received in the course of his employment |
|                |   |   |
- (2) I attach hereto a certified copy of Register of Death of deceased.
- (3) (e) (i) The date of the injury which resulted in his death was .....19.....  
 (ii) At that time he was employed at the.....Mine as.....(class of employment)  
 (iii) The nature of his injuries was.....  
 (iv) At the time of his death the deceased \* 

|         |   |                                      |
|---------|---|--------------------------------------|
| was     | } | in receipt of Workers' Compensation. |
| was not |   |                                      |

\*(v) Prior to his death, the deceased had been awarded the sum of \$.....as lump sum settlement for \*{Workers' Compensation } {Damages independently of Workers' Compensation

\*(vi) I \* {have received } {am entitled to receive } the sum of \$..... from..... as \*{Workers' Compensation } {Damages independently of Workers' Compensation} in full settlement of my claim.

(a) Christian name or names and surname of declarant. (b) Address. (c) Relationship to deceased. (d) Name and address of deceased. (e) Not to be filled in if Mine Worker was in receipt of a pension prior to his death. \*Strike out words which are not applicable.

(4) I and the other dependants of the deceased receive or are entitled to receive the following amounts by way of Invalid, Old Age, Widow's, or War Pension, or as Endowment under the Commonwealth Child Endowment Act, 1941:—

| Description of Benefit      | Weekly Amounts Received or Receivable by :     |                              |
|-----------------------------|--|------------------------------|
|                             | Widow or Female Relative over 16 years of age. | Other Dependants of Deceased |
|                             | \$   | \$                           |
| (i) Old Age Pension .....   | .....  | .....                        |
| (ii) Invalid Pension .....  | .....  | .....                        |
| (iii) Widow's Pension ..... | .....  | .....                        |
| (iv) War Pension .....      | .....  | .....                        |
| (v) Child Endowment .....   | .....  | .....                        |

(5) Personal particulars of myself and the other dependants of the deceased are shown on the back hereof. And I make this solemn Declaration by virtue of section One Hundred and Six of the Evidence Act, 1906.

|                                  |  |   |
|----------------------------------|--|---|
| 10c Revenue Stamp to be affixed. | Declared at..... }<br>this.....day of.....19... }<br>before me, }<br>Justice of the Peace. } | } Ordinary Signature of }<br>} Declarant. } |
|----------------------------------|--|---|

(On Back)

Personal Particulars of Applicant for Pension as Referred to in Item (5) in Declaration.

- (1) Full name, Surname..... Christian Names.....
- (2) Relationship to Deceased.....
- (3) Date of Birth.....19..... Place of Birth.....
- (4) If Applicant is the Widow of the deceased, show the following particulars:—
  - (a) Date of Marriage.....19..... Place.....
  - (b) Maiden Surname.....
  - (c) If previously married, state Surname.....

(5) Show names and dates of birth of Children under 16 years of age, and whether totally or mainly dependent:—

| Christian Names | Date of Birth | Whether Totally or Mainly Dependent |
|-----------------|---------------|-------------------------------------|
| (i).....        |               |                                     |
| (ii).....       |               |                                     |
| (iii).....      |               |                                     |
| (iv).....       |               |                                     |
| (v).....        |               |                                     |
| (vi).....       |               |                                     |
| (vii).....      |               |                                     |
| (viii).....     |               |                                     |

Note.—If the Birth Certificates of the Applicant and other Dependants and the Marriage Certificate have not already been furnished, the documents must be furnished before a pension would be payable.

APPENDIX No. 7.

Form M.P. 65.

Western Australia.

Coal Mine Workers (Pensions) Act, 1943.

APPLICATION FOR PENSION—BY WIFE OR DEPENDANT OF MINE WORKER WHOSE PENSION HAS BEEN SUSPENDED.

(Section 26 of Act—Regulation No. 16.)

Pension No.....

Date received by Tribunal.....

To be furnished by:—

- \* (i) The Wife or other dependant of a Pensioner who has been sentenced to a term of imprisonment exceeding one month, or
- \* (ii) The Wife or other dependant of a Pensioner who has become an insane patient within the meaning of the Lunacy Act, 1903.

\* Delete whichever is not applicable.

Statutory Declaration.

I (1)..... of (2)..... in the State of Western Australia being (3)..... of (4)..... who is in receipt of a pension (No.....) under the Coal Mine Workers (Pensions) Act, 1943, and who—

\* (a) has been sentenced to a term of imprisonment exceeding one month, or

\* (b) has become an insane patient within the meaning of the Lunacy Act, 1903, hereby apply for a pension under section 26 of the Act, and do solemnly and sincerely declare that to the best of my knowledge and belief the following information is true and correct in every particular:

(1) The Pensioner referred to above—

\* (a) was sentenced to a term of..... \* (Months) imprisonment on (Years) (Date)

\* (b) became an insane person and was admitted as a patient in the..... Mental Hospital on..... (Date)

(1) Christian name or names and surname of declarant. (2) Address. (3) Relationship to Pensioner. (4) Name and address of Pensioner. \*Strike out the words which are not applicable.

(2) I and the other dependants of the Pensioner receive or are entitled to receive the following amounts by way of Invalid, Old Age, Widow's or War Pension, or as Endowment under the Commonwealth Child Endowment Act, 1941.

| Description of Benefit | Weekly Amounts Received or Receivable by :                  |                               |
|------------------------|---|-------------------------------|
|                        | Wife, or Female Relative of Pensioner, over 16 years of age | Other Dependants of Pensioner |
|                        | \$  | \$                            |
| (i) Old Age Pension    | .....   | .....                         |
| (ii) Invalid Pension   | .....   | .....                         |
| (iii) Widow's Pension  | .....   | .....                         |
| (iv) War Pension       | .....   | .....                         |
| (v) Child Endowment    | .....   | .....                         |

(3) The names and dates of birth of the other dependants of the Pensioner who are totally or mainly dependent on him are as follows:—

| Christian Names | Date of Birth | Whether Totally or Mainly Dependent |
|-----------------|---------------|-------------------------------------|
| (i).....        | .....         | .....                               |
| (ii).....       | .....         | .....                               |
| (iii).....      | .....         | .....                               |

(4) I will advise the Pensions Tribunal of the date the Pensioner is  
 \* (released from gaol)  
 \* (discharged from the Mental Hospital).

And I make this solemn declaration by virtue of section one hundred and six of the Evidence Act, 1906.

10c  
Revenue  
Stamp  
to be  
affixed.

Declared at..... }  
 this.....day of.....19..... }  
 before me, }  
 ..... }  
 Justice of the Peace. }  
 Ordinary Signature of  
 Declarant.

APPENDIX No. 3.

Form M.P. 66.

Western Australia.

Coal Mine Workers (Pensions) Act, 1943.

APPLICATION FOR PENSION—BY WIFE WHO HAS BEEN DESERTED  
 OR LEFT WITHOUT MEANS OF SUPPORT.

(Section 26 (3) of Act—Regulation No. 16.)

Date received by Tribunal.....  
 Pension No.....

Statutory Declaration.

I (1) .....  
 of (2) ..... in the State of Western Australia  
 being the wife of (3) .....  
 who is \*{in receipt of } a Pension (No.....) under the Coal Mine Workers (Pen-  
 sions) Act, 1943, hereby apply for a Pension under section 26 (3) of the Act,



Form M.P. 16.

Added by G.G. 28/1/49, pp. 194-5. Substituted by G.G. 11/5/51, p. 1311-2.

APPENDIX "A."

Coal Mine Workers (Pensions) Act, 1943-1950.

MEDICAL CERTIFICATE UNDER REGULATION 4A.

WITHIN the last week I have medically examined..... (a person who intends to become employed or re-employed in or about a coal mine within the State, and whose signature is endorsed hereon) and I submit information in answer to the questions hereunder:—

1. Is he free from disease and all mental and physical disability and is he in all respects fit for work in or about a coal mine?

Answer.....

2. If he is not free from disease and all mental and physical disability:—

(a) What is the nature of the disease or disability?

Answer.....

(b) Could he be employed in or about a coal mine without being likely to affect prejudicially the health of any other person so employed?

Answer.....

(c) Is the nature of such work likely to aggravate the disease or disability so as to prevent him from continuing in employment as a Mine Worker or being employed in full time employment in any other work?

Answer.....

Remarks.....

Signature.....

Medical Practitioner.

Place..... Date.....

Signature of Examinee.....