

## COAL MINE WORKERS (PENSIONS).

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No. 16 of 1965.

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### AN ACT to amend the Coal Mine Workers (Pensions) Act, 1943-1964.

[Assented to 1st October, 1965.]

**B**E 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, 1965.*

Short title  
and citation.

(2) In this Act the Coal Mine Workers (Pensions) Act, 1943-1964, is referred to as the principal Act.

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reprint 17th  
June,  
1963, and  
amended by  
Act No. 99 of  
1964.

(3) The principal Act as amended by this Act may be cited as the Coal Mine Workers (Pensions) Act, 1943-1965.

S.6  
amended.

2. Section six of the principal Act is amended by adding subsections as follows—

(4) Any mine worker whose employment in the coal mining industry at Collie ceased because of the flooding of the mine known as “Hebe” in the month of April, nineteen hundred and sixty-five, is eligible to a pension of seven pounds two shillings and sixpence per week, if he establishes to the satisfaction of the Tribunal that—

- (a) he attained the age of fifty-eight years on or before the thirtieth day of April, nineteen hundred and sixty-five;
- (b) he is no longer employed as a mine worker and has retired from employment in the coal mining industry;
- (c) except for his age, he would be otherwise eligible for a pension under subsection (1) of this section; and
- (d) he has made an application for the pension on or before the thirty-first day of May, nineteen hundred and sixty-five.

(5) Any pension payable pursuant to subsection (4) of this section shall be paid to the person entitled thereto on and from the latest of the following dates—

- (a) the thirtieth day of April, nineteen hundred and sixty-five;
- (b) the date on which the person last ceased work as a mine worker; or
- (c) the date of the expiration of his annual leave, if any, for which he was paid by the owner of a mine, after he ceased work as a mine worker in or about that mine.

(6) The provisions of subsections (4) and (5) of this section shall be deemed to have come into force for all purposes on the thirtieth day of April, nineteen hundred and sixty-five.

3. Paragraph (e) of subsection five A of section twenty-one of the principal Act is amended by adding after the word "sixty-one" being the last word in the paragraph, the following passage, "and subject to those provisions, shall be deemed to have applied on and from that date, with such modifications as circumstances require, to any person referred to in paragraph (b) of subsection (7) of this section, whose service in the coal mining industry was terminated as mentioned in paragraph (a) of this subsection".

S.21  
amended.

4. Paragraph (c) of subsection (6) of section twenty-one A of the principal Act is amended by substituting for the passage, "within a period of twelve months from the date of the commencement of the Coal Mine Workers (Pensions) Act Amendment Act, 1964," in lines one to four inclusive, the passage, "within such period not exceeding three years from the date of the commencement of the Coal Mine Workers (Pensions) Act Amendment Act, 1965, as the Tribunal determines".

S.21A  
amended.

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