

WESTERN AUSTRALIA

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# COAL MINE WORKERS (PENSIONS) AMENDMENT ACT

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No. 63 of 1988

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

[Assented to 15 December 1988]

The Parliament of Western Australia enacts as follows:

## **Short title**

1. This Act may be cited as the *Coal Mine Workers (Pensions) Amendment Act 1988*.

## **Commencement**

2. This Act shall come into operation on the day on which it receives the Royal Assent.

### **Principal Act**

3. In this Act the *Coal Mine Workers (Pensions) Act 1943\** is referred to as the principal Act.

[\*Reprinted as approved 7 November 1984 and amended by Acts Nos. 75 and 98 of 1985 and 91 of 1986.]

### **Section 13A amended**

4. Section 13A of the principal Act is amended—

(a) by repealing subsection (2) and substituting the following subsection—

“ (2) The Minister shall, by order published in the *Gazette*, specify the weekly rate of wages prescribed for the classification of “Motor Truck Drivers of over 100 tons but not exceeding 110 tons” in the coal mining industrial award applicable to employees of Western Collieries Ltd in Western Australia, as at 31 July 1988, and may specify a higher rate for different parts of the period commencing on that date and declare that weekly rate to be the specified rate for the purposes of this section in respect of any period for which pensions are payable under this Act commencing on or after 31 July 1988. ”;

and

(b) in subsection (3) in paragraph (b) by deleting “Loadermen (Northern District) in New South Wales” and substituting the following—

“ Motor Truck Drivers of over 100 tons but not exceeding 110 tons who are employees of Western Collieries Ltd in Western Australia ”.

### **Section 14 amended**

5. Section 14 of the principal Act is amended in subsection (2b) by deleting “50” and substituting the following—

**Transitional**

6. (1) An entitlement to a pension or to a lump sum payment which has arisen under the principal Act on or after 31 July 1988 but before the day on which this Act comes into operation, shall be recalculated taking into account this Act as soon as possible after the day on which this Act comes into operation and the Tribunal shall make any adjustment necessary as a result of the recalculation.

(2) In subsection (1), "pension" and "Tribunal" have the same meaning as in section 2 of the principal Act.

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