

COAL MINE WORKERS (PENSIONS).

No. 12 of 1977

AN ACT to amend the Coal Mine Workers
(Pensions) Act, 1943-1973.

[Assented to 11th October, 1977.]

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, 1977*.

Short title
and citation.

(2) In this Act the Coal Mine Workers (Pensions) Act, 1943-1973 is referred to as the principal Act.

Approved for
reprint 28th
June, 1971
and
amended by
Acts Nos. 35
of 1971,
79 of 1972
and 40 of
1973.

(3) The principal Act as amended by this Act may be cited as the Coal Mine Workers (Pensions) Act, 1943-1977.

Commence-
ment.

2. This Act shall come into operation on a date to be fixed by proclamation.

Section 7
amended.

3. Subsection (2) of section 7 of the principal Act is amended by deleting the words "seventeen dollars" in the last line and substituting the words "thirty-four dollars and fifty cents".

Section 26
amended.

4. Subsection (2) of section 26 of the principal Act is repealed and the following subsections substituted—

(2) Where a mine worker who is eligible for or has been awarded a pension pursuant to this Act is a patient as defined by the Mental Health Act, 1962 his pension rights pursuant to this Act shall, unless the Tribunal determines otherwise (which it is hereby authorized to do), be suspended while he continues as a patient as so defined.

(2a) Whilst the pension rights of a mine worker pursuant to this Act are suspended by force of subsection (2) of this section any person who would, if the mine worker were dead, have been eligible for a pension under section ten of this Act, shall be eligible for a pension in accordance with that section as if the mine worker were dead, and shall be entitled to retain the whole of the said pension for his own use and benefit absolutely, notwithstanding anything in the Mental Health Act, 1962 or any other Act.
