

**COAL AND OIL SHALE MINE WORKERS  
(SUPERANNUATION) AMENDMENT ACT.**

**Act No. 39, 1955.**

**Elizabeth II,**  
**No. 39, 1955.**

An Act to increase the rates of pensions and subsidy payable under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954; for this and other purposes to amend the said Act in certain respects; and for purposes connected therewith. [Assented to, 17th November, 1955.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title  
and  
citation.

**1.** (1) This Act may be cited as the "Coal and Oil Shale Mine Workers (Superannuation) Amendment Act, 1955."

(2) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941, as amended by subsequent Acts and by this Act, may be cited as the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1955.

Amendment  
of Act No.  
45, 1941.

**2.** (1) The Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, is amended—

Sec. 6.  
(Pensions—  
mine  
workers  
who are  
retired.)

(a) by inserting at the end of section six the following new subsection:—

(11) (a) The amount of pension per week payable to any mine worker who has, before the twenty-seventh day of October, one thousand nine hundred and fifty-five, been awarded a pension pursuant to subsection one, (1A), two  
or

or three of this section, shall as on and from such date and notwithstanding anything contained in this section be five pounds two shillings and sixpence. No. 39, 1955.

(b) The amount of pension per week payable to any mine worker who, on or after the twenty-seventh day of October, one thousand nine hundred and fifty-five, becomes eligible for a pension pursuant to subsection one, (1A), two or three of this section, shall as on and from the date of retirement and notwithstanding anything contained in this section be five pounds two shillings and sixpence.

- (b) by omitting from subsections one and (1A) of section seven the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds two shillings and sixpence"; Sec. 7.  
(Pension—  
permanent  
incapacity.)
- (c) by omitting from subsection one of section eight the words "four pounds twelve shillings and sixpence" and by inserting in lieu thereof the words "five pounds two shillings and sixpence"; Sec. 8.  
(Hard luck  
cases.)
- (d) (i) by omitting from subsection one of section nine the words "three pounds seventeen shillings and sixpence" wherever occurring and by inserting in lieu thereof the words "four pounds seven shillings and sixpence"; Sec. 9.  
(Pensions—  
additional  
payments  
in respect  
of depen-  
dants.)
- (ii) by omitting from the same subsection the words "ten shillings" wherever occurring and by inserting in lieu thereof the words "fifteen shillings";
- (iii) by omitting from subsections five and (5A) of the same section the words "three pounds ten shillings" wherever occurring and by inserting in lieu thereof the words "four pounds";
- (iv) by omitting from subsection six of the same section the words "ten shillings" and by inserting in lieu thereof the words "fifteen shillings";

(e)

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**Sec. 10.**  
(Pension payable to dependants.)

(e) (i) by omitting from subsections one and (1c) of section ten the words "four pounds two shillings and sixpence" and by inserting in lieu thereof the words "four pounds twelve shillings and sixpence";

(ii) by omitting from subsection (1E) of the same section the words "three pounds ten shillings" wherever occurring and by inserting in lieu thereof the words "four pounds";

**Sec. 10A.**  
(De facto wife.)

(f) (i) by omitting from subsection three of section 10A the words "four pounds two shillings and sixpence" and by inserting in lieu thereof the words "four pounds twelve shillings and sixpence";

(ii) by omitting from subsection five of the same section the words "three pounds ten shillings" wherever occurring and by inserting in lieu thereof the words "four pounds".

(2) (a) The amendments made by paragraph (b), paragraph (c) and paragraph (d) of subsection one of this section shall be deemed to extend to and from the twenty-seventh day of October, one thousand nine hundred and fifty-five, apply in respect of all mine workers who were immediately before such date in receipt of a pension pursuant to section seven or eight or an addition to a pension pursuant to section nine of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, as well as to mine workers becoming eligible for any such pension or addition thereto after such date.

(b) The amendments made by subparagraph (i) of paragraph (e) and by subparagraph (i) of paragraph (f) of subsection one of this section shall be deemed to extend to and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, as well as to persons becoming eligible for any such pension after such commencement.

(c)

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(c) The amendments made by subparagraph No. 39, 1955. (ii) of paragraph (e) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to extend to and from the twenty-seventh day of October, one thousand nine hundred and fifty-five, apply in respect of all persons who were immediately before such date in receipt of an addition to a pension pursuant to section ten or 10A of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, as well as to persons becoming eligible for any such addition to such pension after such date.

(3) (a) The amendments made by paragraphs (a), (b), (c) and (d), and subparagraph (ii) of paragraph (e) and subparagraph (ii) of paragraph (f) of subsection one of this section shall be deemed to have commenced on the twenty-seventh day of October, one thousand nine hundred and fifty-five.

(b) The amendments made by subparagraph (i) of paragraph (e) and subparagraph (i) of paragraph (f) of subsection one of this section shall—

(i) in the case of a widow who was entitled to a widow's pension under any legislation of the Commonwealth relating to Social Services on the eighteenth day of October, one thousand nine hundred and fifty-five, be deemed to have commenced upon the said day;

(ii) in any other case, be deemed to have commenced upon the twenty-seventh day of October, one thousand nine hundred and fifty-five,

and a reference in paragraph (b) of subsection two of this section to the commencement of such amendments shall be construed accordingly.

**3.** (1) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, in accordance with section nineteen of that Act, of the amount required by <sup>Variation of estimates.</sup>

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**No. 39, 1955.** by the Coal and Oil Shale Mine Workers Superannuation Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-five, shall be deemed to be varied to the extent necessary to include the amount required for payment of pensions increased or other sums payable out of such Fund by virtue of the operation of this Act, and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1955, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of pensions and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.

(2) The estimate made by the Superannuation Tribunal constituted under the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1954, in accordance with section 19D of that Act, of the amount required by the Coal and Oil Shale Mine Workers Compensation Subsidy Fund for the period of twelve months commencing on the first day of July, one thousand nine hundred and fifty-five, shall be deemed to be varied to the extent necessary to include the amount required for payment of subsidy increased or other sums payable out of such Fund by virtue of the operation of this Act and the estimate as so varied shall for all purposes of the Coal and Oil Shale Mine Workers (Superannuation) Act, 1941-1955, be deemed to be the estimate of the amount required by such Fund for the aforesaid period of twelve months for payment of subsidy and other sums chargeable upon or payable out of that Fund and for the provision of a reserve in connection with that Fund.