

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

(As read a first time)

SOCIAL SERVICES LEGISLATION AMENDMENT BILL 1982

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SCHEDULE 1

FORMAL AND MINOR AMENDMENTS OF THE SOCIAL SERVICES ACT 1947

SCHEDULE 2

FORMAL AMENDMENTS OF THE SOCIAL SERVICES AMENDMENT ACT 1979

1980-81-82

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 25 March 1982

(Minister representing the Minister for Social Security)

A BILL

FOR

An Act to amend the *Social Services Act 1947* and the *Social Services Amendment Act 1979*

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

PART I—PRELIMINARY

Short title

- 5 1. This Act may be cited as the *Social Services Legislation Amendment Act 1982*.

Commencement

- 10 2. (1) Subject to sub-sections (2) and (3), this Part and Part II shall come
into operation on the day on which this Act receives the Royal Assent. 26.82
- 15 (2) Sections 5, 6, 7, 8, 9, 10 and 11 and sub-sections 46 (1), (2) and (3)
shall come into operation on a day to be fixed by Proclamation.
- (3) Section 18 and sub-section 43 (2) shall come into operation on the first
day that is the fifteenth day of a month that occurs after the expiration of the
period of 2 months commencing on the day on which this Act receives the
Royal Assent. 15.8.82
- (4) Part III shall come into operation on the day fixed by Proclamation
under sub-section 2 (6) of the *Social Services Amendment Act 1979*.

not yet proclaimed
MR

PART II—AMENDMENTS OF THE SOCIAL SERVICES ACT 1947**References to the Principal Act**

3. The *Social Services Act 1947*¹ is in this Part referred to as the Principal Act.

Amendment of title

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4. The title of the Principal Act is amended by omitting “, Maternity Allowances, Child Endowment” and substituting “Family Allowances”.

Short title

5. Section 1 of the Principal Act is amended by omitting “*Social Services*” and substituting “*Social Security*”.

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Interpretation

6. Section 6 of the Principal Act is amended by omitting “Social Services” from the definitions of “Assistant Director-General”, “Deputy Director-General”, “Director”, “Director-General” and “Registrar” in sub-section (1) and substituting “Social Security”.

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Director-General of Social Security

7. Section 7 of the Principal Act is amended by omitting “Social Services” and substituting “Social Security”.

Deputy Directors-General and Assistant Directors-General

8. Section 8 of the Principal Act is amended by omitting “Social Services” (wherever occurring) and substituting “Social Security”.

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Directors of Social Services

9. Section 9 of the Principal Act is amended by omitting “Social Services” and substituting “Social Security”.

Registrars

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10. (1) Section 10 of the Principal Act is amended by omitting from sub-section (1) “Social Services” and substituting “Social Security”.

(2) A person who, immediately before the commencement of this section, held office as a Registrar of Social Services shall, upon the commencement of this section, be taken to have been appointed as a Registrar of Social Security under sub-section 10 (1) of the Principal Act as amended by this Act.

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Interpretation

11. Section 18 of the Principal Act is amended by omitting “Social Services” from the definition of “Registrar” and substituting “Social Security”.

Amendment of heading to Part VI

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12. The heading to Part VI of the Principal Act is omitted and the following heading is substituted:

“PART VI — FAMILY ALLOWANCE”.

Interpretation

13. Section 94 of the Principal Act is amended—

- (a) by omitting from sub-section (1) the definition of “child” and substituting the following definition:

“ ‘child’ means a person under the age of 16 years;”;

- (b) by omitting “an endowment” from the definition of “claimant” in sub-section (1) and substituting “a family allowance”;

- (c) by omitting from sub-section (1) the definitions of “endowee” and “endowment” and substituting the following definition:

“ ‘family allowance’ means a family allowance under this Part, and includes a share in such an allowance payable by virtue of a direction in force under section 99A;”;

- (d) by inserting in sub-section (2A) “or is an inmate of an institution” after “another person”; and

- (e) by inserting in sub-section (2A) “or a child who is an inmate of that institution, as the case may be” after “that other person”.

Family allowance

14. Section 95 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “an endowment” and substituting “a family allowance”;

- (b) by omitting from sub-section (2) “endowment” (wherever occurring) and substituting “family allowance”;

- (c) by omitting from sub-section (2) “an endowee, being a person other than an institution,” and substituting “a person other than an institution”;

- (d) by omitting from sub-section (2) “to the endowee” (wherever occurring);

- (e) by omitting from sub-section (3) “endowment payable to an endowee, being an institution,” and substituting “family allowance payable to an institution”;

- (f) by omitting from sub-section (6) “endowment” and substituting “family allowance”;

- (g) by omitting from sub-section (8) “an endowment” (wherever occurring) and substituting “a family allowance”; and

- (h) by omitting from sub-section (8) “the endowment” and substituting “the family allowance”.

Family allowance not to be granted in respect of child in receipt of payments under prescribed educational scheme

15. Section 95A of the Principal Act is amended by omitting “an endowment” and substituting “a family allowance”.

Family allowance not payable in respect of child in receipt of payments under prescribed educational scheme

16. Section 95B of the Principal Act is amended by omitting from sub-section (1) "endowment" (wherever occurring) and substituting "family allowance".

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Qualification for family allowance

17. Section 96 of the Principal Act is amended—

- (a) by omitting from sub-section (1) "an endowment" and substituting "a family allowance";
- (b) by omitting from paragraph (1) (b) "the endowment" and substituting "the family allowance";
- (c) by omitting from sub-section (5) "an endowment" and substituting "a family allowance";
- (d) by omitting from sub-section (6) "An endowment" and substituting "A family allowance"; and
- (e) by omitting from sub-section (6) "an endowment" (wherever occurring) and substituting "a family allowance".

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18. After section 96 of the Principal Act the following section is inserted:

Family allowance not to be granted or paid to certain persons

"97. (1) A family allowance shall not be granted or paid to a person (not being an Australian citizen or a permanent resident of Australia) who is—

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- (a) the head of a diplomatic mission, or the head of a consular post, established in Australia;
- (b) a member of the staff of a diplomatic mission, or a member of the consular staff of a consular post, established in Australia;
- (c) a person who is a member of the armed forces of a country other than Australia and who is not serving with the Defence Force; or
- (d) a member of the family of a person referred to in paragraph (a), (b) or (c), being a member who, in the opinion of the Director-General, forms part of the household of that person.

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"(2) A family allowance shall not be granted or paid to a person who is a prohibited immigrant within the meaning of the *Migration Act* 1958.

"(3) In sub-section (1)—

- (a) expressions that are defined by the Vienna Convention on Diplomatic Relations, a copy of the English text of which is set out in the Schedule to the *Diplomatic Privileges and Immunities Act* 1967, have the same respective meanings as in that convention; and
- (b) expressions that are defined by the Vienna Convention on Consular Relations, a copy of the English text of which is set out in the Schedule to the *Consular Privileges and Immunities Act* 1972, have the same respective meanings as in that convention."

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Claims

19. Section 98 of the Principal Act is amended by omitting “an endowment” and substituting “a family allowance”.

Payment of family allowance

- 5 **20.** Section 99 of the Principal Act is amended—
- (a) by omitting from sub-section (1) “An endowment” and substituting “A family allowance”;
 - (b) by omitting from paragraph (1) (a) “the endowee” and substituting “the person or institution to whom the family allowance was granted”;
 - 10 (c) by omitting from paragraph (1) (b) “the endowee, to such other person as the endowee” and substituting “that person, to such other person as that person”; and
 - (d) by omitting from sub-section (2) “An endowment” and substituting “A family allowance”.

15 **Sharing of family allowance between 2 persons**

- 21.** Section 99A of the Principal Act is amended—
- (a) by omitting from sub-section (1) “endowment” (first occurring) and substituting “family allowance”;
 - (b) by omitting from sub-sections (1) and (2) “an endowment” and substituting “a family allowance”;
 - 20 (c) by omitting from sub-section (3) “the endowment” and substituting “the family allowance”; and
 - (d) by omitting from sub-section (4) “an endowment” and substituting “a family allowance”.

25 **Payment of family allowance to other person, &c.**

- 22.** Section 100 of the Principal Act is amended—
- (a) by omitting “an endowment” and substituting “a family allowance”; and
 - (b) by omitting “the endowee” and substituting “the person to whom the family allowance was granted”.
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Family allowance periods

23. Section 101 of the Principal Act is amended by omitting “an endowment is payable in respect of endowment periods” and substituting “a family allowance is payable in respect of family allowance periods”.

35 **Date from which family allowance payable**

- 24.** Section 102 of the Principal Act is amended—
- (a) by omitting from sub-section (1) “an endowment” and substituting “a family allowance”;
 - (b) by omitting from sub-section (1) “endowment” (second, third, fourth and fifth occurring) and substituting “family allowance”;
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- (c) by omitting from sub-section (2) “an endowment” (wherever occurring) and substituting “a family allowance”;
- (d) by omitting from sub-section (2) “the endowment” (wherever occurring) and substituting “the family allowance”;
- (e) by omitting from sub-section (2) “for endowment” and substituting “for family allowance”; 5
- (f) by omitting from sub-section (3) “An endowment” and substituting “A family allowance”; and
- (g) by omitting from sub-section (3) “endowment” (second and third occurring) and substituting “family allowance”. 10

Family allowance to cease in certain circumstances

25. Section 103 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “an endowment” and substituting “a family allowance”;
- (b) by omitting from sub-section (1) “an endowee” and substituting “a person or institution to whom family allowance was granted”; 15
- (c) by omitting from sub-section (1) “the endowee” (wherever occurring) and substituting “the person or institution to whom the family allowance was granted”;
- (d) by omitting from sub-section (2) “an endowment” (wherever occurring) and substituting “a family allowance”; 20
- (e) by omitting from sub-section (2) “the endowment” and substituting “the family allowance”;
- (f) by omitting from sub-section (2A) “an endowment” and substituting “a family allowance”; 25
- (g) by omitting from sub-section (2A) “the endowment” (wherever occurring) and substituting “the family allowance”;
- (h) by omitting from sub-section (3) “an endowment” and substituting “a family allowance”;
- (j) by omitting from sub-section (3) “the endowment” (wherever occurring) and substituting “the family allowance”; 30
- (k) by omitting from sub-section (3) “the endowee” and substituting “the person to whom the family allowance was granted”;
- (m) by omitting from sub-section (4) “an endowment” (wherever occurring) and substituting “a family allowance”; and 35
- (n) by omitting from sub-section (4) “endowment” (third and fourth occurring) and substituting “family allowance”.

Daily rate of family allowance

26. Section 103A of the Principal Act is amended—

- (a) by omitting from sub-section (1) “endowment” (first, third and fourth occurring) and substituting “family allowance”; 40
- (b) by omitting from sub-section (1) “an endowment” and substituting “a family allowance”; and

- (c) by omitting from sub-section (2) “an endowment” and substituting “a family allowance”.

Adjustment of rates in certain circumstances

27. Section 103B of the Principal Act is amended—

- (a) by omitting “an endowee” and substituting “a person to whom family allowance has been granted”;
- (b) by omitting “endowment” (wherever occurring) and substituting “family allowance”; and
- (c) by omitting “to the endowee” (wherever occurring).

Payment of family allowance during temporary absence from Australia

28. Section 104 of the Principal Act is amended—

- (a) by omitting from sub-sections (2), (3) and (4) “An endowment” and substituting “A family allowance”;
- (b) by omitting from sub-section (2) “the endowment” and substituting “the family allowance”;
- (c) by omitting from sub-section (3) “an endowment” (wherever occurring) and substituting “a family allowance”; and
- (d) by omitting from sub-section (5) “an endowment” and substituting “a family allowance”.

Notification of certain events

29. Section 104A of the Principal Act is amended—

- (a) by omitting “an endowee” and substituting “a person to whom family allowance has been granted”; and
- (b) by omitting “the endowee” (wherever occurring) and substituting “that person”.

Application of family allowance

30. Section 105 of the Principal Act is amended by omitting “An endowment” and substituting “A family allowance”.

Qualification for double orphan’s pension

31. Section 105B of the Principal Act is amended—

- (a) by omitting from sub-section (1) “an endowment” and substituting “a family allowance”; and
- (b) by omitting from sub-section (1) “endowment” (last occurring) and substituting “family allowance”.

Application of Part VI

32. Section 105D of the Principal Act is amended by omitting from sub-section (1) “an endowment” and substituting “a family allowance”.

Interpretation

33. Section 105H of the Principal Act is amended by omitting from sub-section (1) the definition of “endowment period” and substituting the following definition:

“‘family allowance period’ means a family allowance period for the purposes of Part VI;”.

Handicapped child’s allowance not payable in certain circumstances

34. Section 105K of the Principal Act is amended by omitting “endowment” and substituting “family allowance”.

Temporary absences from home

35. Section 105KA of the Principal Act is amended by omitting from sub-section (1) “endowment” (wherever occurring) and substituting “family allowance”.

Daily rate of allowance

36. Section 105LA of the Principal Act is amended by omitting from sub-section (1) “an endowment” and substituting “a family allowance”.

Deduction for period in institution

37. Section 105M of the Principal Act is amended—

- (a) by omitting “an endowment” and substituting “a family allowance”; and
- (b) by omitting “endowment” (last occurring) and substituting “family allowance”.

Obligation to notify

38. Section 105P of the Principal Act is amended—

- (a) by omitting “Penalty: \$40.”; and
- (b) by adding at the end thereof the following sub-section and penalty:

“(3) Where a child who is in the custody, care and control of a person who receives a handicapped child’s allowance in pursuance of section 105J or 105JA in respect of that child is, or has been, absent from his home, that person shall, not later than 14 days after the commencement of that absence, notify a Director accordingly.

“\$40.”.

Cessation of handicapped child’s allowance granted under section 105J

39. Section 105Q of the Principal Act is amended—

- (a) by omitting from sub-section (1A) “an endowment” and substituting “a family allowance”;
- (b) by omitting from sub-section (1A) “an endowee within the meaning of that Part” and substituting “a person to whom family allowance has been granted under that Part”;

- (c) by omitting from sub-section (2) "an endowment" and substituting "a family allowance"; and
- (d) by omitting from sub-section (2) "the endowment" and substituting "the family allowance".

5 **Application of certain provisions of Part VI**

40. Section 105R of the Principal Act is amended by omitting "an endowment" and substituting "a family allowance".

Waiting period

41. Section 119 of the Principal Act is amended—

- (a) by inserting after sub-section (1A) the following sub-section:

"(1B) Where—

- (a) a person becomes registered as unemployed by the Commonwealth Employment Service; and

- (b) the person makes a claim for unemployment benefit within the period of 14 days after the day on which the person became so registered or within such further period as the Director-General considers reasonable,

the day on which the person became so registered shall, for the purposes of the application of sub-section (1) in relation to the person, be taken to be the day on which the person made the claim for unemployment benefit.";

- (b) by omitting from sub-section (2) "Subject to the next succeeding sub-section" and substituting "Subject to sub-section (2A)";

- (c) by inserting after sub-section (2) the following sub-section—

"(2A) Notwithstanding sub-section (2), where—

- (a) a claim for sickness benefit in respect of an incapacity (in this sub-section referred to as the 'recurring incapacity') of a person is lodged within the time referred to in sub-section (2);

- (b) the Director-General is satisfied that the cause of the recurring incapacity is connected with the cause of a previous incapacity of the person; and

- (c) the person has received sickness benefit in respect of that previous incapacity,

sickness benefit payable to the person in respect of the recurring incapacity is payable from and including the commencement of the period of the recurring incapacity.";

- (d) by inserting in sub-section (3) "cause of the" before "incapacity"; and

- (e) by inserting after sub-section (3) the following sub-section:

"(3A) Notwithstanding sub-section (3), where—

- (a) a claim for sickness benefit in respect of an incapacity (in this sub-section referred to as the 'recurring incapacity') of a person is not lodged within the time referred to in sub-section (2);

(b) the Director-General is satisfied that—

(i) the failure to lodge the claim within that time was due to the cause of the recurring incapacity or to some other sufficient cause; and

(ii) the cause of the recurring incapacity is connected with the cause of a previous incapacity of the person; and

(c) the person has received sickness benefit in respect of that previous incapacity,

sickness benefit payable to the person in respect of the recurring incapacity is payable from and including the commencement of the period of the recurring incapacity.”.

Offences

42. (1) Section 138 of the Principal Act is amended by omitting from sub-sections (6) and (7) “, endowment”.

(2) Notwithstanding the amendments made by sub-section (1), a reference in sub-section 138 (6) or (7) of the *Social Services Act* 1947 to an amount paid by way of allowance shall be read as including a reference to an amount paid before the commencement of this section by way of child endowment under Part VI of the Principal Act.

Recovery of overpayments

43. (1) Section 140 of the Principal Act is amended by omitting from sub-section (3) “child endowment” (wherever occurring) and substituting “family allowance”.

(2) Section 140 of the Principal Act is amended by adding at the end thereof the following sub-section:

“(4) Where—

(a) an amount of family allowance under Part VI has been paid to a person who was, at the time when that amount was paid, a prohibited immigrant within the meaning of the *Migration Act* 1958; and

(b) the person ceases to be a prohibited immigrant within the meaning of that Act,

the Director-General may, on behalf of the Commonwealth, by notice in writing given to the person, waive the right of the Commonwealth to recover that amount or such part of that amount as is specified in the notice.”.

(3) Notwithstanding the amendments made by sub-section (1), a reference in sub-section 140 (3) of the *Social Services Act* 1947 to family allowance under Part VI of that Act shall be read as including a reference to child endowment under Part VI of the Principal Act.

Payments of pension, &c., on death of pensioner, &c.

44. (1) Section 146 of the Principal Act is amended by omitting “, endowment” (wherever occurring).

(2) Notwithstanding the amendments made by sub-section (1), a reference in section 146 of the *Social Services Act* 1947 to allowance accrued and unpaid at the date of the death of a person shall be read as including a reference to child endowment under Part VI of the Principal Act accrued and unpaid at the commencement of this section.

Formal and minor amendments

45. The provisions of the Principal Act that are referred to in column 1 of Schedule 1 are amended as set out in column 2 of that Schedule.

Transitional provisions

46. (1) Any act or thing done at any time before the commencement of this sub-section by a person who, at that time, held office as the Director-General of Social Services, a Deputy Director-General of Social Services, an Assistant Director-General of Social Services, a Director of Social Services or a Registrar of Social Services, being an act or thing done in pursuance of his duties as the holder of that office, shall have such consequences or effects after the commencement of this sub-section as it would have had if the amendments made by sections 6 to 11, inclusive, had not been made, but any power or function conferred by the Principal Act as amended by this Act may be exercised or performed after the commencement of this sub-section in relation to that act or thing as if that act or thing had been done by the Director-General of Social Security, a Deputy Director-General of Social Security, an Assistant Director-General of Social Security, a Director of Social Security or a Registrar of Social Security, as the case may be.

(2) A reference in any Act, or in any instrument (including rules, regulations and by-laws) made, granted or issued pursuant to any Act, to a person holding a specified office in the Department of Social Security, being a reference that includes the words "Social Services", shall, in relation to any act or thing done or to be done after the commencement of this sub-section, be read as if those words were omitted and the words "Social Security" were substituted.

(3) Where, immediately before the commencement of this sub-section, there were pending in a court or tribunal any proceedings to which a person holding an office in the Department of Social Security was, in his capacity as the holder of that office, a party, being an office the description of which for the purposes of those proceedings included the words "Social Services", those proceedings may be continued after the commencement of this sub-section as if the description of that office for the purposes of those proceedings were amended by omitting those words and substituting the words "Social Security".

(4) A person who, immediately before the commencement of this sub-section, was entitled to be paid child endowment under Part VI of the Principal Act in respect of a child is, subject to the provisions of the Principal Act as amended by this Act, entitled to be paid family allowance in respect of that child under Part VI of the Principal Act as amended by this Act.

(5) Where, before the commencement of this sub-section—

(a) a person had made a claim for child endowment under Part VI of the Principal Act, a claim for a double orphan's pension under Part VIA of that Act or a claim for handicapped child's allowance under Part VIB of that Act; and

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(b) the claim had not been granted or the claim had been refused, the Principal Act as amended by this Act applies in relation to the claim as if the amendments made by sections 12 to 17, inclusive, 19 to 37, inclusive and 39 and 40 had been in force at the time when the claim was made.

(6) A reference in any Act or in any instrument (including rules, regulations and by-laws) made, granted or issued under any Act to child endowment, being child endowment paid or payable under Part VI of the Principal Act shall, after the commencement of this sub-section, be read as a reference to family allowance under Part VI of the Principal Act as amended by this Act.

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PART III—AMENDMENTS OF THE SOCIAL SERVICES AMENDMENT ACT 1979

References to the Principal Act

47. The *Social Services Amendment Act 1979*² is in this Part referred to as the Principal Act.

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Amendments of sub-section 39 (1) of Principal Act

48. Section 39 of the Principal Act is amended—

(a) by inserting in sub-section (2) of the new section 115A that is proposed to be inserted in the *Social Services Act 1947* “by post or personally” after “served”;

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(b) by omitting sub-section (1) of the new section 115B that is proposed to be inserted in the *Social Services Act 1947* and substituting the following sub-section:

“115B. (1) Where a person who is qualified to receive a sickness benefit in respect of an incapacity has received or is qualified or entitled to receive a payment (whether a payment forming part of a series of periodical payments or a payment by way of a lump sum) that is, in the opinion of the Director-General, in whole or in part a payment by way of compensation in respect of that incapacity, the Director-General, having regard to the amount of that payment or, in the case of a series of periodical payments, the amounts of those payments (including future payments), or such part of that payment or of those payments as, in the opinion of the Director-General, relates to that incapacity, may—

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(a) where a claim by the person for sickness benefit in respect of that incapacity has been lodged but not determined—refuse to grant that claim or grant that claim but direct that the amount

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per week of sickness benefit that would, apart from this sub-section, be payable in respect of that incapacity be reduced by an amount specified in the direction; or

(b) in any other case—

(i) cancel the sickness benefit payable to the person in respect of that incapacity; or

(ii) direct that the amount per week of sickness benefit that would, apart from this sub-section, be payable in respect of that incapacity be reduced by an amount specified in the direction.”;

(c) by omitting sub-sections (3) and (4) of the new section 115B that is proposed to be inserted in the *Social Services Act 1947* and substituting the following sub-sections:

“(3) Where the Director-General is of the opinion that a payment by way of a lump sum, or a series of periodical payments, received by a person who is, or has been, in receipt of sickness benefit in respect of an incapacity (whether the payment was, or all or any of the payments were, received before, during or after the close of the period of receipt of sickness benefit) is a payment that is, or are payments one or more of which is or are, in whole or in part, a payment or payments by way of compensation in respect of that incapacity, the Director-General may, by notice in writing served by post or personally on the person, direct the person to pay to the Commonwealth an amount specified in the notice, being an amount equal to—

(a) the amount of sickness benefit received by the person in respect of that incapacity; or

(b) the amount of the lump sum payment or periodical payment or payments or such part of that amount or of those amounts as, in the opinion of the Director-General, relates to that incapacity,

whichever is the lesser amount.

“(4) Where the amount per week of sickness benefit payable in respect of an incapacity is reduced under sub-section (1) having regard to the receipt of a payment by way of compensation in respect of that incapacity, that payment by way of compensation shall not, for the purposes of section 112A or 114, be regarded as income.”;

(d) by omitting from sub-section (1) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “or may be” and substituting “or may become”;

(e) by omitting from sub-section (1) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “by post”;

(f) by omitting sub-section (2) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* and substituting the following sub-sections:

“(2) Where a person is liable to make a payment by way of compensation in respect of the incapacity of another person who is, or was, qualified to receive a sickness benefit in respect of that incapacity, the Director-General may serve a notice in writing on the first-mentioned person (whether or not a notice has been served on that person under sub-section (1)) specifying the amount that the Director-General, on behalf of the Commonwealth, proposes to recover from him, being an amount not exceeding the amount of the sickness benefit paid in respect of that incapacity.

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“(2A) The Director-General shall not serve a notice on a person under sub-section (2) in relation to a payment by way of compensation in respect of the incapacity of another person if the Director-General has served a notice on an insurer under sub-section 115D (2) in respect of the liability of the insurer to indemnify that first-mentioned person against his liability to make that payment.”;

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(g) by omitting from sub-section (3) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “(not being a notice that specifies the amount that the Director-General, on behalf of the Commonwealth, proposes to recover from him), is, or becomes, liable (whether by reason of a judgment of a court or by reason of an agreement in settlement of a claim)” and substituting “is, or becomes, liable”;

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(h) by omitting paragraphs (5) (a) and (6) (a) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947*;

(j) by omitting from paragraphs (5) (b) and (6) (b) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “an amount is specified in that notice, or in a subsequent notice served on the person under sub-section (2),” and substituting “a notice under sub-section (2) is served on a person and an amount is specified in the notice”;

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(k) by omitting from paragraphs (5) (c) and (6) (c) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “(whether by reason of a judgment of a court or by reason of an agreement in settlement of a claim)”;

(m) by omitting from paragraphs (5) (c) and (6) (c) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “, or the subsequent notice,”;

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(n) by omitting from paragraph (5) (d) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* “or in the subsequent notice”;

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(o) by omitting sub-section (10) of the new section 115C that is proposed to be inserted in the *Social Services Act 1947* and substituting the following sub-sections:

“(10) Where sub-section (4) applies in relation to a person in respect of the incapacity of another person, that sub-section shall cease

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to apply in relation to the first-mentioned person in respect of that incapacity if—

- (a) in the case of a person who is liable, under sub-section (5) or (6), to pay an amount to the Commonwealth in respect of that incapacity—the person pays that amount to the Commonwealth; or
- (b) in any other case—the Director-General informs the first-mentioned person, in writing, that he is satisfied that sub-section (4) should no longer apply in relation to the person in respect of that incapacity.

“(11) A notice that may be served on a person under this section shall be taken to be served on the person if it is served on the person by post or is given personally to the person or to an employee of the person.”;

- (p) by omitting the new sections 115D and 115E that are proposed to be inserted in the *Social Services Act 1947* and substituting the following new sections:

Notice to insurers

“‘115D. (1) Where it appears to the Director-General that an insurer, under a contract of insurance, is, or may become, liable to indemnify a person (in this section referred to as the “client”), in whole or in part, against the liability, or the possible liability, of the client to make a payment or payments by way of compensation in respect of the incapacity of another person who is, or was, qualified to receive a sickness benefit in respect of that incapacity, the Director-General may, by notice in writing served on the insurer, inform the insurer that the Director-General, on behalf of the Commonwealth, proposes to, or may wish to, recover from him an amount equal to the whole or some part of the amount of sickness benefit paid to that other person in respect of that incapacity.

“(2) Where an insurer is liable, under a contract of insurance, to indemnify a client, in whole or in part, against the liability of the client to make a payment or payments by way of compensation in respect of the incapacity of another person who is, or was, qualified to receive a sickness benefit in respect of that incapacity, the Director-General may serve a notice in writing on the insurer (whether or not a notice has been served on the insurer under sub-section (1)) specifying the amount that the Director-General, on behalf of the Commonwealth, proposes to recover from the insurer, being an amount not exceeding the amount of the sickness benefit paid to that other person in respect of that incapacity.

“(3) The Director-General shall not serve a notice on an insurer under sub-section (2) in relation to the liability of the insurer to indemnify a client against the liability of the client to make a payment or payments by way of compensation in respect of the incapacity of

another person if the Director-General has served a notice on the client under sub-section 115C (2) in relation to that incapacity.

“(4) Where an insurer who is served with a notice under sub-section (1) is, or becomes, liable to indemnify a client in respect of the liability of the client to make a payment or payments by way of compensation in respect of the incapacity to which the notice relates, the insurer shall, within 7 days after becoming so liable or after being served with a notice under sub-section (1), whichever last occurs, notify a Registrar, in writing, accordingly. 5

Penalty: \$100. 10

“(5) Subject to sub-section (8), an insurer who is served with a notice under sub-section (1) shall not, after the service of that notice, make any payment that is a payment under a contract of insurance with a client, being a payment indemnifying the client, in whole or in part, against the liability of the client to make a payment or payments by way of compensation in respect of the incapacity to which the notice under sub-section (1) relates and, if a payment is made by the insurer in contravention of this sub-section, the payment shall, for the purposes of paragraph (6) (b), be disregarded in ascertaining the amount that the insurer is liable to pay to the client. 15 20

“(6) Where an insurer is served with a notice under sub-section (2), the insurer is liable to pay to the Commonwealth—

- (a) the amount specified in the notice; or
- (b) the amount that the insurer is liable to pay to the client concerned to indemnify the client against the liability to make a payment by way of compensation in respect of the incapacity to which the notice relates, 25

whichever is the lesser amount.

“(7) Payment of an amount that an insurer is liable to pay to the Commonwealth under sub-section (6) in respect of the incapacity of another person shall, to the extent of the payment— 30

- (a) operate as a discharge to the insurer as against the client concerned; and
- (b) operate as a discharge to the client concerned as against the liability of the client to make a payment or payments by way of compensation to that other person. 35

“(8) Where sub-section (5) applies in relation to an insurer in respect of the incapacity of a person, that sub-section shall cease to apply in relation to the insurer in respect of that incapacity if—

- (a) in the case of an insurer who is liable under sub-section (6) to pay an amount to the Commonwealth in respect of that incapacity—the insurer pays that amount to the Commonwealth; or 40

- (b) in any other case—the Director-General informs the insurer in writing that he is satisfied that sub-section (5) should no longer apply in relation to the insurer in respect of that incapacity.

“(9) Where an insurer has been served with a notice under sub-section (1) in relation to the liability or possible liability of the insurer to indemnify a client, in whole or in part, against the liability or possible liability of the client to make a payment or payments by way of compensation in respect of the incapacity of another person, the client is not, while that notice has effect, liable to make that payment or those payments by way of compensation in respect of that incapacity.

“(10) A notice that may be served on an insurer under this section shall be taken to be served on the insurer if it is served on the insurer by post or is given to an employee of the insurer.

Director-General may disregard certain payments

“115E. For the purposes of this Division, the Director-General may treat the whole or a part of a payment by way of compensation that has been, or that will be, made in respect of an incapacity as not having been made or as not being, or as not likely to become, liable to be made, if the Director-General considers that, in the special circumstances of the case, it is appropriate to do so.”;

- (q) by omitting from paragraph (d) of the new section 115F that is proposed to be inserted in the *Social Services Act 1947* “sub-section (5) of section 115D” and substituting “sub-section 115D (6)”; and
- (r) by omitting paragraphs (d) and (e) of the new section 115G that is proposed to be inserted in the *Social Services Act 1947* and substituting the following paragraphs:

“(d) that the Director-General has not, under paragraph 115C (10) (b), informed a specified person that sub-section 115C (4) no longer applies in relation to that person in respect of a specified incapacity;

“(da) that no notice under sub-section 115D (4) has been received by any Registrar from a specified insurer in respect of any liability to indemnify a client in respect of the liability of the client to make a payment or payments by way of compensation in respect of a specified incapacity of a specified person;

“(e) that the Director-General has not, under paragraph 115D (8) (b), informed a specified insurer that sub-section 115D (5) no longer applies in relation to that insurer in respect of a specified incapacity; or”.

Addition of new sub-sections to section 39 of Principal Act

49. Section 39 of the Principal Act is amended by adding at the end thereof the following sub-sections:

“(4) Where—

- (a) a notice had been served on a person (in this sub-section referred to as ‘the person liable to pay compensation’) under sub-section 115 (5) of the Principal Act before the commencement of this section (not being a notice that specified the amount payment of which was claimed by the Director-General) in relation to sickness benefit paid or payable in respect of the incapacity of another person; and 5
- (b) a notice under sub-section 115 (6) of the Principal Act had not, before the commencement of this section, been served on the person liable to pay compensation in relation to that sickness benefit, 10

the notice referred to in paragraph (a) shall be deemed to be a notice served on the person liable to pay compensation under sub-section 115C (1) of the Principal Act as amended by this Act. 15

“(5) Where—

- (a) a notice has been served on an insurer under sub-section 115 (5) of the Principal Act before the commencement of this section (not being a notice that specified the amount payment of which was claimed by the Director-General) in relation to sickness benefit paid or payable in respect of the incapacity of another person; and 20
- (b) a notice under sub-section 115 (6) of the Principal Act had not, before the commencement of this section, been served on the insurer in relation to that sickness benefit, 25

the notice referred to in paragraph (a) shall be deemed to be a notice served on the insurer under sub-section 115D (1) of the Principal Act as amended by this Act.”.

Formal amendments

50. The provisions of the new Division 3A of Part VII, being the Division that is proposed to be inserted in the *Social Services Act* 1947 by sub-section 39 (1) of the Principal Act, that are referred to in column 1 of Schedule 2 are amended as set out in column 2 of that Schedule. 30

SCHEDULE 1

Section 45

FORMAL AND MINOR AMENDMENTS OF THE SOCIAL SERVICES ACT 1947

Column 1 Provision amended	Column 2 Amendments
Sub-section 2 (1)	Omit "1st July, 1947," substitute "1 July 1947".
Section 3	(a) Omit "First". (b) Omit "that", substitute "the".
Sub-section 4 (1)	(a) Omit "the last preceding section", substitute "section 3". (b) Omit paragraphs (b), (c), (f), (g), (h) and (j).
Sub-section 6 (1) (definition of "claim")	Omit "endowment".
Sub-section 16 (2)	Omit "Forty dollars", substitute "\$40".
Sub-section 16 (3)	Omit "Forty dollars", substitute "\$40".
Sub-section 17 (2)	Omit "Five hundred dollars", substitute "\$500".
Sub-section 17 (5)	Omit "the last preceding sub-section", substitute "sub-section (4)".
Section 18 (paragraph (eaa) of the definition of "income")	Omit "sub-section (1) of section 135D", substitute "sub-section 135D (1)".
Section 18 (paragraph (g) of the definition of "income")	Omit "the last preceding paragraph", substitute "paragraph (f)".
Section 18 (paragraph (ha) of the definition of "income")	Omit "sub-section (1) of section 6", substitute "sub-section 6 (1)".
Section 18 (paragraph (k) of the definition of "income")	Omit "the <i>War Gratuity Acts</i> 1920 or".
Section 18 (definition of "married person")	Omit "sub-section (2) of section 29", substitute "sub-section 29 (2)".
Section 18 (definition of "pension")	Omit "and includes a pension or allowance continued in force by virtue of paragraph (c) of section 4".
Paragraph 18A (a)	(a) Omit "sixteen", substitute "16". (b) Omit "twenty-five", substitute "25".
Paragraph 18A (c)	Omit "Part III", substitute "this Part".
Section 18A	Omit "sixteen", substitute "16".
Sub-paragraph 20 (1) (b) (i)	Omit "sixteen", substitute "16".
Sub-paragraph 20 (1) (b) (ii)	Omit "sixteen", substitute "16".
Paragraph 21 (1) (a)	(a) Omit "sixty-five", substitute "65". (b) Omit "sixty", substitute "60".
Paragraph 21 (1) (b)	Omit "ten", substitute "10".
Paragraph 21 (2) (b)	(a) Omit "ten", substitute "10". (b) Omit "five", substitute "5".
Sub-section 21 (2)	Omit "paragraph (b) of the last preceding sub-section", substitute "paragraph (1) (b)".
Paragraph 21 (2) (c)	Omit "ten", substitute "10".
Paragraph 22 (c)	Omit "six", substitute "6".
Sub-paragraph 22 (d) (ii)	Omit "sixteen", substitute "16".
Sub-paragraph 22 (e) (i)	Omit "six", substitute "6".
Sub-paragraph 22 (e) (ii)	Omit "sixteen", substitute "16".
Section 23	Omit "eighty-five per centum", substitute "85%".
Sub-section 24 (1)	Omit "sixteen", substitute "16".
Sub-section 25 (2)	Omit "ten", substitute "10".
Paragraph 25 (2A) (b)	(a) Omit "ten", substitute "10". (b) Omit "five", substitute "5".
Paragraph 25 (2A) (c)	Omit "ten", substitute "10".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 25 (2A)	Omit “the last preceding sub-section”, substitute “sub-section (2)”.
Sub-section 25 (3)	Omit “paragraph (b) of sub-section (1)”, substitute “paragraph (1) (b)”.
Sub-section 28 (1)	Omit “the next 8 succeeding sub-sections”, substitute “sub-section (1A), (1AAA), (1AA), (1B), (1C), (1D), (1EA) or (1F)”.
Sub-section 28 (1AAA)	Omit “paragraph (a) of the last preceding sub-section”, substitute “paragraph (1A) (a)”.
Sub-section 28 (1AA)	(a) Omit “sixteen”, substitute “16”. (b) Omit “paragraph (a) of sub-section (1A)”, substitute “paragraph (1A) (a)”.
Paragraph 28 (1AA) (a) . . .	Omit “the next succeeding paragraph”, substitute “paragraph (b)”.
Sub-paragraph 28 (1AA) (b) (i)	Omit “six”, substitute “6”.
Sub-section 28 (1B)	(a) Omit “sixteen”, substitute “16”. (b) Omit “the next 3 succeeding sub-sections”, substitute “sub-sections (1C), (1D) and (1EA)”.
	(c) Omit “the last preceding sub-section”, substitute “sub-section (1AA)”.
Sub-section 28 (1C)	Omit “The last preceding sub-section”, substitute “Sub-section (1B)”.
Paragraph 28 (1C) (a)	(a) Omit “sub-section (1) of section 85”, substitute “sub-section 85 (1)”.
	(b) Omit “sub-section (2) of section 94”, substitute “sub-section 94 (2)”.
Paragraph 28 (1C) (b)	Omit “the last preceding sub-section”, substitute “sub-section (1B)”.
Paragraph 28 (1EA) (b) . . .	Omit “sub-section (2) of section 32”, substitute “sub-section 32 (2)”.
Sub-section 28 (1F)	Omit “sixteen”, substitute “16”.
Sub-section 28 (2A)	Omit “paragraph (a) of sub-section (1A)”, substitute “paragraph (1A) (a)”.
Paragraph 28 (2AB) (a) . . .	Omit “seventy”, substitute “70”.
Paragraph 28 (2AB) (c) . . .	Omit “paragraph (a) of sub-section (1A)”, substitute “paragraph (1A) (a)”.
Sub-paragraph 28 (3) (a) (i) .	Omit “the next succeeding sub-paragraph”, substitute “sub-paragraph (ii)”.
Sub-paragraph 28 (3) (a) (ii)	Omit “sixteen”, substitute “16”.
Sub-paragraph 28 (3) (b) (i) .	Omit “the next succeeding sub-paragraph”, substitute “sub-paragraph (ii)”.
Sub-paragraph 28 (3) (b) (ii)	Omit “sixteen”, substitute “16”.
Paragraph 28 (3B) (a)	Omit “the last preceding sub-section”, substitute “sub-section (3A)”.
Sub-section 28A (1) (definition of “relevant rate”)	(a) Omit “paragraph (a) of sub-section (1A) of section 28”, substitute “paragraph 28 (1A) (a)”.
	(b) Omit “paragraph (b) of that sub-section”, substitute “paragraph 28 (1A) (b)”.
Paragraph 29 (1) (a)	Omit “Sixty-five dollars” substitute “\$65”.
Paragraph 29 (1) (b)	(a) Omit “sixteen”, substitute “16”. (b) Omit “Three hundred and twelve dollars”, substitute “\$312”.
Paragraph 30A (2) (c)	(a) Omit “sub-section (1AAA) of section 28”, substitute “sub-section 28 (1AAA)”.
	(b) Omit “sub-section (1A) of section 32”, substitute “sub-section 32 (1A)”.
Sub-section 30A (6)	(a) Omit “the last preceding sub-section”, substitute “sub-section (5)”.
	(b) Omit “the next succeeding section”, substitute “section 30B”.

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
	(c) Omit "sub-section (1), (6) or (8) of section 45", substitute "sub-section 45 (1), (6) or (8)".
	(d) Omit "sub-section (1) of section 140", substitute "sub-section 140 (1)".
Sub-section 30b (2)	(a) Omit "the last preceding section", substitute "section 30A". (b) Omit "fourteen", substitute "14". (c) Omit "Forty dollars", substitute "\$40".
Sub-section 32 (1)	Omit "paragraph (b) of sub-section (1A) of section 28", substitute "paragraph 28 (1A) (b)".
Sub-section 32 (1A)	Omit "paragraph (a) of sub-section (1A) of section 28", substitute "paragraph 28 (1A) (a)".
Sub-section 41 (2)	Omit "twenty-six", substitute "26".
Sub-section 41 (3)	(a) Omit "the last preceding sub-section", substitute "sub-section (2)". (b) Omit "Ten" (wherever occurring), substitute "10". (c) Omit "Five" (wherever occurring), substitute "5".
Sub-section 42 (1)	Omit "six", substitute "6".
Sub-section 42 (2)	Omit "the last preceding sub-section", substitute "sub-section (1)".
Section 44	Omit "Forty dollars", substitute "\$40".
Paragraph 45 (6) (e)	Omit "sixteen", substitute "16".
Paragraph 45 (6) (ea)	Omit "sixteen", substitute "16".
Sub-section 45 (6)	(a) Omit "the next succeeding sub-section", substitute "sub-section (7)". (b) Omit "fourteen", substitute "14".
Sub-section 45 (7)	Omit "Paragraphs (a), (b), (c) and (d) of the last preceding sub-section", substitute "Paragraphs (6) (a), (b), (c) and (d)".
Sub-section 45 (8)	Omit "Forty dollars", substitute "\$40".
Paragraph 46 (1) (b)	Omit "either of the last two preceding sections", substitute "section 44 or 45".
Sub-section 46 (2)	Omit "The last preceding sub-section", substitute "Sub-section (1)".
Sub-section 46 (3)	Omit "paragraph (c) of section 18B", substitute "paragraph 18B (c)".
Paragraph 46 (3) (a)	Omit "four", substitute "4".
Paragraph 46 (3) (b)	Omit "four", substitute "4".
Paragraph 48A (2) (b)	Omit "paragraph (c) or (d) of sub-section (2AB) of section 28", substitute "paragraph 28 (2AB) (c) or (d)".
Sub-section 50 (1) (definition of "pensioner contribution")	Omit "sub-paragraph (iii) of paragraph (b) of sub-section (2) of section 47", substitute "sub-paragraph 47 (2) (b) (iii)".
Sub-section 50 (1) (definition of "wife's portion")	Omit "sub-section (1B) or (1F) of section 28", substitute "sub-section 28 (1B) or (1F)".
Sub-section 59 (1) (definition of "child")	Omit "sixteen", substitute "16".
Sub-section 59 (1) (definition of "class A widow")	Omit "paragraph (a) of sub-section (1) of section 60", substitute "paragraph 60 (1) (a)".
Sub-section 59 (1) (definition of "class B widow")	Omit "paragraph (b) of that sub-section", substitute "paragraph 60 (1) (b)".
Sub-section 59 (1) (definition of "class C widow")	Omit "paragraph (c) of that sub-section", substitute "paragraph 60 (1) (c)".
Sub-section 59 (1) (definition of "dependent female")	Omit "three", substitute "3".
Sub-section 59 (1) (definition of "deserted wife")	Omit "six", substitute "6".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 59 (1) (definition of "pension")	Omit "and includes a pension or allowance continued in force by virtue of paragraph (f) of section 4".
Sub-section 59 (1) (paragraph (e) of the definition of "widow")	Omit "six", substitute "6".
Paragraph 59A (a)	(a) Omit "sixteen", substitute "16". (b) Omit "twenty-five", substitute "25".
Sub-paragraph 60 (1) (b) (i)	Omit "fifty", substitute "50".
Sub-paragraph 60 (1) (b) (ii)	(a) Omit "the last preceding paragraph", substitute "paragraph (a)". (b) Omit "forty-five", substitute "45".
Paragraph 60 (1) (c)	Omit "twenty-six" (wherever occurring), substitute "26".
Sub-paragraph 60 (1) (c) (i) .	Omit "fifty", substitute "50".
Paragraph 60 (1) (e)	Omit "five", substitute "5".
Sub-section 61 (1)	Omit "sub-section (1) of the last preceding section", substitute "sub-section 60 (1)".
Paragraph 61 (1) (b)	Omit "sixteen", substitute "16".
Sub-section 61 (2)	Omit "sub-section (1) of the last preceding section", substitute "sub-section 60 (1)".
Sub-section 61 (3)	Omit "sub-section (1) of the last preceding section", substitute "sub-section 60 (1)".
Sub-section 61A (1)	Omit "paragraph (a), (b) or (c) of sub-section (1) of section 60", substitute "paragraph 60 (1) (a), (b) or (c)".
Sub-section 61A (2)	Omit "sub-section (3) of section 60", substitute "sub-section 60 (3)".
Paragraph 63 (1) (a)	(a) Omit "the next succeeding paragraph", substitute "paragraph (aa)". (b) Omit "paragraph (a) of sub-section (1A) of section 28", substitute "paragraph 28 (1A) (a)".
Sub-paragraph 63 (1) (aa) (i)	Omit "six", substitute "6".
Paragraph 63 (1) (b)	Omit "paragraph (a) of sub-section (1A) of section 28", substitute "paragraph 28 (1A) (a)".
Sub-section 63 (1A)	(a) Omit "paragraph (a) or (aa) of sub-section (1)", substitute "paragraph (1) (a) or (aa)". (b) Omit "sub-section (1B) of section 28", substitute "sub-section 28 (1B)".
Paragraph 63 (1C) (a)	(a) Omit "sub-section (1) of section 85", substitute "sub-section 85 (1)". (b) Omit "sub-section (2) of section 94", substitute "sub-section 94 (2)".
Paragraph 63 (1C) (b)	(a) Omit "sub-section (1A) of section 28", substitute "sub-section 28 (1A)". (b) Omit "sub-section (1B) of section 28", substitute "sub-section 28 (1B)".
Sub-section 63 (3)	Omit "paragraph (a) of sub-section (1A) of section 28", substitute "paragraph 28 (1A) (a)".
Paragraph 63 (3) (a)	Omit "twenty-six", substitute "26".
Paragraph 63 (3) (b)	Omit "the last preceding paragraph", substitute "paragraph (a)".
Paragraph 64 (a)	Omit "Sixty-five dollars", substitute "\$65".
Paragraph 64 (b)	(a) Omit "sixteen", substitute "16". (b) Omit "Three hundred and twelve dollars", substitute "\$312".
Paragraph 64(d)	Omit "Three hundred and twelve dollars", substitute "\$312".
Sub-section 65A (5)	(a) Omit "the last preceding sub-section", substitute "sub-section (4)". (b) Omit "the next succeeding section", substitute "section 65B".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
	(c) Omit “sub-section (1), (5) or (6) of section 74”, substitute “sub-section 74 (1), (5) or (6)”.
	(d) Omit “sub-section (1) of section 140”, substitute “sub-section 140 (1)”.
Section 67	Repeal the section.
Sub-section 68 (2)	Omit “three”, substitute “3”.
Sub-section 68 (3)	Omit “three”, substitute “3”.
Sub-section 68 (4)	Omit “three” (wherever occurring), substitute “3”.
Sub-section 70 (2)	Omit “twenty-six”, substitute “26”.
Sub-section 70 (3)	(a) Omit “the last preceding sub-section”, substitute “sub-section (2)”.
	(b) Omit “Ten” (wherever occurring), substitute “10”.
	(c) Omit “Five” (wherever occurring), substitute “5”.
Sub-section 71 (1)	Omit “six”, substitute “6”.
Sub-section 71 (2)	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Section 73	Omit “Forty dollars”, substitute “\$40”.
Sub-paragraph 74 (5) (a) (ii)	Omit “sub-section (1) of section 59”, substitute “sub-section 59 (1)”.
Paragraph 74 (5) (bb)	Omit “sub-section (4) of section 59”, substitute “sub-section 59 (4)”.
Sub-section 74 (5)	Omit “fourteen”, substitute “14”.
Sub-section 74 (6)	Omit “Forty dollars”, substitute “\$40”.
Paragraph 75 (1) (b)	Omit “either of the last two preceding sections”, substitute “section 73 or 74”.
Sub-section 75 (2)	Omit “paragraph (c) of section 59AA”, substitute “paragraph 59AA (c)”.
Paragraph 75 (2) (a)	Omit “four”, substitute “4”.
Paragraph 75 (2) (b)	Omit “four”, substitute “4”.
Sub-section 80 (1)	Omit “sub-paragraph (iii) of paragraph (b) of sub-section (2) of section 47”, substitute “sub-paragraph 47 (2) (b) (iii)”.
Paragraph 83AAA (2) (a)	Omit “sub-paragraph (ii) of paragraph (a)”, substitute “sub-paragraph (a) (ii)”.
Paragraph 83AAA (3) (a)	Omit “sub-paragraph (ii) of paragraph (a)”, substitute “sub-paragraph (a) (ii)”.
Paragraph 83AAA (6) (b)	Omit “sub-section (4) of section 59”, substitute “sub-section 59 (4)”.
Paragraph 83AAA (6) (d)	Omit “sub-section (1) of section 60”, substitute “sub-section 60 (1)”.
Paragraph 83AAA (6) (f)	Omit “sub-section (5) of section 74”, substitute “sub-section 74 (5)”.
Sub-section 83AAC (2)	Omit “paragraph (a), (b), (c), (d) or (e) of sub-section (1)”, substitute “paragraph (1) (a), (b), (c), (d) or (e)”.
Section 83AA	Omit “(including a pension or an allowance continued in force by virtue of paragraph (c) or (f) of section 4)”.
Sub-section 83AD (2)	(a) Omit “paragraph (a) of sub-section (1)”, substituting “paragraph (1) (a)”.
	(b) Omit “paragraph (b)” (wherever occurring), substituting “paragraph (1) (b)”.
	(c) Omit “that sub-section”, substitute “sub-section (1)”.
Sub-section 83A (1) (sub-paragraph (a) (ii) of the definition of “deceased child”)	Omit “sixteen”, substitute “16”.
Sub-section 83A (1) (sub-paragraph (b) (i) of the definition of “deceased child”)	(a) Omit “sixteen”, substitute “16”.
	(b) Omit “twenty-five”, substitute “25”.

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Paragraph 83B (1) (b)	Omit "six", substitute "6".
Paragraph 83B (1) (c)	Omit "Forty dollars", substitute "\$40".
Sub-section 83B (2)	(a) Omit "paragraph (b) of the last preceding sub-section", substitute "paragraph (1) (b)". (b) Omit "sub-section (1) of the last preceding section", substitute "sub-section 83A (1)".
Paragraph 83B (3) (b)	Omit "six", substitute "6".
Paragraph 83B (3) (c)	Omit "Forty dollars", substitute "\$40".
Sub-section 83B (3A)	Omit "paragraph (b) of sub-section (3)", substitute "paragraph (3) (b)".
Sub-section 83C (1)	Omit "Twenty dollars", substitute "\$20".
Sub-section 83D (1)	Omit "the next succeeding sub-section", substitute "sub-section (2)".
Section 83E	Omit "six", substitute "6".
Sub-section 94 (1) (definition of "student child")	Omit "of this section".
Sub-section 94 (1) (paragraph (a) of the definition of "training agreement")	Omit "the next succeeding paragraph" (wherever occurring), substitute "paragraph (b)".
Sub-section 94 (1D)	Omit "either of the last two preceding sub-sections", substitute "sub-section (1B) or (1C)".
Paragraph 94 (2A) (a)	(a) Omit "sixteen", substitute "16". (b) Omit "twenty-five", substitute "25".
Paragraph 95 (2) (a)	Omit "two", substitute "2".
Paragraph 95 (2) (b)	Omit "two", substitute "2".
Paragraph 95 (2) (c)	Omit "three", substitute "3".
Paragraph 95 (2) (d)	(a) Omit "five", substitute "5". (b) Omit "four", substitute "4".
Sub-paragraph 96 (1) (a) (ii)	Omit "twelve", substitute "12".
Sub-paragraph 96 (1) (b) (ii)	Omit "twelve", substitute "12".
Sub-section 96 (2)	Omit "Sub-paragraph (ii) of paragraph (a) and sub-paragraph (ii) of paragraph (b) of the last preceding sub-section", substitute "Sub-paragraphs (1) (a) (ii) and (b) (ii)".
Paragraph 96 (3) (a)	Omit "sub-paragraph (i) of paragraph (a) of sub-section (1)", substitute "sub-paragraph (1) (a) (i)".
Paragraph 96 (3) (b)	Omit "sub-paragraph (ii) of that paragraph", substitute "sub-paragraph (1) (a) (ii)".
Sub-section 96 (4)	Omit "sub-paragraph (ii) of paragraph (b) of sub-section (1)", substitute "sub-paragraph (1) (b) (ii)".
Sub-section 96 (5)	Omit "Paragraph (b) of sub-section (1)", substitute "Paragraph (1) (b)".
Sub-section 99A (1)	Omit "two", substitute "2".
Sub-section 99A (2)	Omit "two", substitute "2".
Sub-section 99A (3)	Omit "two", substitute "2".
Sub-section 102 (1)	Omit "the next succeeding sub-section", substitute "sub-section (2)".
Paragraph 102 (1) (a)	Omit "six", substitute "6".
Sub-section 102 (2)	Omit "six", substitute "6".
Sub-section 102 (3)	Omit "three", substitute "3".
Paragraph 103 (1) (f)	(a) Omit "sixteen", substitute "16". (b) Omit "three", substitute "3".
Sub-paragraph 103 (1) (g) (i)	Omit "twenty-five", substitute "25".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-paragraph 103 (1) (g) (iii)	Omit “sub-section (1B) or (1C) of section 94”, substitute “sub-section 94 (1B) or (1C)”.
Sub-paragraph 103 (1) (g) (iv)	Omit “sub-section (1B) or (1C) of section 94”, substitute “sub-section 94 (1B) or (1C)”.
Paragraph 103 (2) (a) . . .	Omit “paragraph (a) or (b) of sub-section (1)”, substitute “paragraph (1) (a) or (b)”.
Sub-section 103 (2A) . . .	Omit “paragraph (a) or (b) of sub-section (1)”, substitute “paragraph (1) (a) or (b)”.
Sub-section 103 (3) . . .	Omit “sub-section (5) of section 96”, substitute “sub-section 96 (5)”.
Paragraph 103 (3) (a) . . .	Omit “four”, substitute “4”.
Paragraph 103 (3) (b) . . .	Omit “four”, substitute “4”.
Sub-section (103A) (1) . . .	Omit “sub-section (2) or (3), as the case may be, of section 95”, substitute “sub-section 95 (2) or (3), as the case may be”.
Sub-section 104 (2) . . .	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Sub-section 104 (4) . . .	Omit “paragraph (b) or (d) of sub-section (1)”, substitute “paragraph (1) (b) or (d)”.
Sub-section 104 (5) . . .	(a) Omit “paragraph (e) of sub-section (1)”, substitute “paragraph (1) (e)”. (b) Omit “twelve”, substitute “12”.
Sub-paragraph 104A (e) (ii)	Omit “sub-section (1B) or (1C) of section 94”, substitute “sub-section 94 (1B) or (1C)”.
Section 104A	(a) Omit “fourteen”, substitute “14”. (b) Omit “Forty dollars”, substitute “\$40”.
Section 105	Omit “or, in such cases as are prescribed, in such manner as is prescribed”.
Sub-section 105A (2) . . .	Omit “two”, substitute “2”.
Paragraph 105B (1) (a) . .	Omit “sub-section (3) of section 104”, substitute “sub-section 104 (3)”.
Paragraph 105D (2) (b) . .	Omit “sub-section (2) or (3) of section 95”, substitute “sub-section 95 (2) or (3)”.
Section 105K	Omit “sub-section (3) of section 104”, substitute “sub-section 104 (3)”.
Sub-section 105LA (1) . . .	(a) Omit “section 105K”, substitute “section 105KA”. (b) Omit “sub-section (2) of section 105QB”, substitute “sub-section 105QB (2)”.
Sub-section 105Q (1A) . . .	Omit “Sub-section (1) (other than paragraph (a) or (b)) of section 103”, substitute “Sub-section 103 (1) (other than paragraph 103 (1) (a) or (b))”.
Sub-section 105QB (3) . . .	Omit “sub-section (1) of section 105KA”, substitute “sub-section 105KA (1)”.
Section 105R	Omit “sub-sections (1) and (2) of section 102”, substitute “sub-sections 102 (1) and (2)”.
Sub-section 106 (1) (definition of “dependant”)	Omit “sub-section (2), (3), (4), (4A) or (5) of section 112”, substitute “sub-section 112 (2), (3), (4), (4A) or (5)”.
Sub-section 106 (1) (paragraph (ba) of the definition of “income”)	Omit “sub-section (1) of section 135D”, substitute “sub-section 135D (1)”.
Sub-section 106 (1) (paragraph (d) of the definition of “income”)	Omit “the last preceding paragraph”, substitute “paragraph (c)”.
Sub-section 106 (1) (paragraph (ea) of the definition of “income”)	Omit “sub-section (1) of section 6”, substitute “sub-section 6 (1)”.
Paragraph 106 (1A) (a) . .	(a) Omit “sixteen”, substitute “16”. (b) Omit “twenty-five”, substitute “25”.

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 106 (1A) . . .	Omit "sixteen", substitute "16".
Paragraph 107 (2) (a) . . .	Omit "paragraph (a) of that sub-section", substitute "paragraph (1) (a)".
Paragraph 107 (2) (b) . . .	Omit "paragraphs (b) and (c) of that sub-section", substitute "paragraphs (1) (b) and (c)".
Sub-section 107 (3) . . .	Omit "sub-paragraph (i) of paragraph (c) of sub-section (1)", substitute "sub-paragraph (1) (c) (i)".
Paragraph 108 (1A) (a) . . .	Omit "paragraph (a) of that sub-section", substitute "paragraph (1) (a)".
Paragraph 108 (1A) (b) . . .	Omit "paragraphs (b) and (c) of that sub-section", substitute "paragraphs (1) (b) and (c)".
Section 109	Omit "the last two preceding sections", substitute "sections 107 and 108".
Paragraph 112 (2) (a) . . .	Omit "paragraph (d) of sub-section (1)", substitute "paragraph (1) (d)".
Paragraph 112 (2) (b) . . .	Omit "paragraph (d) of sub-section (1)", substitute "paragraph (1) (d)".
Paragraph 112 (4) (a) . . .	Omit "paragraph (c) of sub-section (1)", substitute "paragraph (1) (c)".
Paragraph 112 (4A) (a) . . .	Omit "sixteen", substitute "16".
Paragraph 112 (4A) (d) . . .	Omit "paragraph (d) of sub-section (1)", substitute "paragraph (1) (d)".
Paragraph 112 (5) (a) . . .	Omit "sixteen", substitute "16".
Sub-section 112 (5)	Omit "the next succeeding sub-section", substitute "sub-section (6)".
Sub-section 112 (6)	Omit "the last preceding sub-section" (wherever occurring), substitute "sub-section (5)".
Paragraph 112 (6A) (b) . . .	Omit "sub-section (4) of section 107", substitute "sub-section 107 (4)".
Sub-section 112AA (1) (definition of "relevant rate")	Omit "paragraph (c) of sub-section (1) of section 112 or the rate specified in paragraph (d) of that sub-section", substitute "paragraph 112 (1) (c) or (d)".
Sub-section 112A (6)	Omit "sub-section (1) of section 140", substitute "sub-section 140 (1)".
Sub-section 115 (3)	Omit "the last preceding section", substitute "section 114".
Sub-section 115 (4A)	Omit "the last preceding sub-section", substitute "sub-section (4)".
Sub-section 115 (7)	Omit "the last preceding sub-section", substitute "sub-section (6)".
Paragraph 116 (b)	Omit "or as prescribed".
Section 118	Repeal the section.
Paragraph 119 (1) (a)	Omit "the next succeeding paragraph", substitute "paragraph (b)".
Paragraph 119 (1) (b)	(a) Omit "twelve", substitute "12". (b) Omit "the last preceding paragraph", substitute "paragraph (a)".
Paragraph 119 (1A) (c)	Omit "sub-section (4) of section 107", substitute "sub-section 107 (4)".
Sub-section 119 (2)	Omit "thirteen", substitute "13".
Paragraph 119 (2) (a)	Omit "the next succeeding paragraph", substitute "paragraph (b)".
Paragraph 119 (2) (b)	(a) Omit "twelve", substitute "12". (b) Omit "the last preceding paragraph", substitute "paragraph (a)".
Sub-section 119 (3)	Omit "the last preceding sub-section", substitute "sub-section (2)".
Sub-section 120 (2)	Omit "paragraph (a), (b) or (c) of that sub-section", substitute "paragraph (1) (a), (b) or (c)".
Sub-section 122 (3)	Omit the sub-section.
Sub-section 123 (2)	Omit "sub-section (2) of section 112", substitute "sub-section 112 (2)".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 124 (2)	Omit “sub-section (4) of section 107”, substitute “sub-section 107 (4)”.
Paragraph 126 (b)	Omit “or as prescribed”.
Sub-section 130 (1B)	Omit “six”, substitute “6”.
Sub-section 130 (2)	Omit “Forty dollars”, substitute “\$40”.
Sub-section 131 (2)	Omit “paragraph (b) of section 106A”, substitute “paragraph 106A (b)”.
Paragraph 131 (2) (a)	Omit “four”, substitute “4”.
Paragraph 131 (2) (b)	Omit “four”, substitute “4”.
Paragraph 132A (b)	Omit “sub-section (1) of section 140”, substitute “sub-section 140 (1)”.
Paragraph 133B (1) (b)	Omit “sub-section (2) or (5) of section 112”, substitute “sub-section 112 (2) or (5)”.
Sub-section 133B (2)	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Sub-section 133C (1) (sub-paragraph (b) (i) of the definition of “disabled person”)	Omit “sixty”, substitute “60”.
Sub-section 133C (1) (sub-paragraph (b) (ii) of the definition of “disabled person”)	Omit “sixty-five”, substitute “65”.
Sub-paragraph 133C (2) (a) (i)	Omit “eighty-five per centum”, substitute “85%”.
Sub-paragraph 133C (2) (b) (i)	(a) Omit “sub-paragraph (i) of the last preceding paragraph”, substitute “sub-paragraph (a) (i)”.
	(b) Omit “eighty-five per centum”, substitute “85 %”.
Sub-paragraph 133C (2) (b) (ii)	(a) Omit “sub-paragraph (ii) of the last preceding paragraph”, substitute “sub-paragraph (a) (ii)”.
	(b) Omit “eighty-five per centum”, substitute “85%”.
Paragraph 133C (2) (c) . . .	Omit “eighty-five per centum”, substitute “85%”.
Sub-section 133F (2)	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Section 133K	Omit “Forty dollars”, substitute “\$40”.
Sub-section 133L (2)	Omit “fourteen”, substitute “14”.
Paragraph 133L (3) (a) . . .	Omit “sub-section (1AA) or (1B) of section 28”, substitute “sub-section 28 (1AA) or (1B)”.
Sub-section 133L (4)	(a) Omit “fourteen”, substitute “14”.
	(b) Omit “Forty dollars”, substitute “\$40”.
Paragraph 133M (b)	Omit “either of the last two preceding sections”, substitute “section 133K or 133L”.
Sub-section 134 (1) (definition of “child”)	Omit “sixteen”, substitute “16”.
Paragraph 134 (2) (a)	Omit “sixteen”, substitute “16”.
Sub-section 134 (2)	Omit “sixteen”, substitute “16”.
Paragraph 135 (1) (b)	Omit “the last preceding paragraph”, substitute “paragraph (a)”.
Sub-section 135A (1)	Omit “the next succeeding sub-section”, substitute “sub-section (2)”.
Sub-section 135D (4)	Omit “25 per centum”, substitute “25%”.
Sub-section 135D (6)	Omit “sub-paragraph (v) of paragraph (a) of sub-section (1) of section 135”, substitute “sub-paragraph 135 (1) (a) (v)”.
Section 135J	Omit “paragraph (a) of sub-section (1) of section 135”, substitute “paragraph 135 (1) (a)”.
Sub-section 135L (2)	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Sub-section 135R (1A)	Omit “the next succeeding sub-section”, substitute “sub-section (1B)”.

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 135R (1B) . . .	Omit "the last preceding sub-section", substitute "sub-section (1A)".
Sub-section 135RA (3) . . .	Omit "Four hundred dollars", substitute "\$400".
Sub-section 135RA (4) . . .	Omit "four and one-half per centum", substitute "4.5%".
Sub-section 135S (2) . . .	Omit "either of the last two preceding sub-sections", substitute "sub-section (1) or (1A)".
Sub-section 135T (3) . . .	Omit "the last preceding sub-section", substitute "sub-section (2)".
Paragraph 135T (6) (a) . . .	Omit "Eight dollars", substitute "\$8".
Paragraph 135T (6) (b) . . .	Omit "Four dollars", substitute "\$4".
Sub-section 135T (7) . . .	Omit "forty-five", substitute "45".
Paragraph 135T (10) (a) . . .	Omit "Sixteen dollars", substitute "\$16".
Paragraph 135T (10) (b) . . .	Omit "Ten dollars", substitute "\$10".
Sub-section 135T (13) . . .	(a) Omit "sub-sections (2) and (3) of section 135C", substitute "sub-sections 135C (2) and (3)". (b) Omit "sub-section (5) of section 135Q", substitute "sub-section 135Q (5)". (c) Omit "paragraph (b) of sub-section (1) of section 135RA", substitute "paragraph 135RA (1) (b)".
Paragraph 135U (2) (b) . . .	Omit "sub-section (1) of section 135D", substitute "sub-section 135D (1)".
Paragraph 135U (2) (c) . . .	Omit "sub-section (2) of section 29", substitute "sub-section 29 (2)".
Sub-section 135U (3) . . .	(a) Omit "the last preceding sub-section", substitute "sub-section (2)". (b) Omit "sub-section (1) of section 135D", substitute "sub-section 135D (1)".
Sub-section 135U (4) . . .	Omit "the last preceding sub-section", substitute "sub-section (3)".
Sub-section 135U (6) . . .	(a) Omit "paragraph (b) of sub-section (2)", substitute "paragraph (2) (b)". (b) Omit "paragraph (a), or the service pension referred to in paragraph (c), of sub-section (2)", substitute "paragraph (2) (a), or the service pension referred to in paragraph (2) (c)".
Sub-section 135U (9) . . .	Omit "twelve", substitute "12".
Sub-section 135U (10) . . .	(a) Omit "paragraph (a) or paragraph (c) of sub-section (2)", substitute "paragraph (2) (a) or (c)". (b) Omit "sub-section (1AAA) of section 28", substitute "sub-section 28 (1AAA)".
Paragraph 135U (10) (b) . . .	(a) Omit "sub-section (1AAA) of section 28", substitute "sub-section 28 (1AAA)". (b) Omit "sub-section (2) of section 84", substitute "sub-section 84 (2)".
Sub-section 136 (1)	Omit "endowments,".
Sub-section 136 (2)	Omit "the next succeeding sub-section", substitute "sub-section (3)".
Sub-section 136 (3)	Omit "Four hundred dollars", substitute "\$400".
Section 137	Omit "endowments".
Sub-paragraph 138 (1) (a) (iii)	Omit "endowment".
Paragraph 138 (1) (b)	Omit "endowment" (wherever occurring).
Paragraph 138 (1) (c)	Omit "endowment" (wherever occurring).
Sub-section 138 (1)	Omit "six", substitute "6".
Sub-section 138 (2)	Omit "the last preceding sub-section", substitute "sub-section (1)".
Sub-section 138 (3)	Omit "two", substitute "2".
Sub-section 138 (5)	Omit "of this section".
Sub-section 138 (6)	Omit "of this section".

SCHEDULE 1—continued

Column 1 Provision amended	Column 2 Amendments
Sub-section 138 (7)	Omit “the last preceding sub-section”, substitute “sub-section (6)”.
Sub-section 139 (1)	Omit “three”, substitute “3”.
Section 141	(a) Omit “, endowment”. (b) Omit “fourteen”, substitute “14”. (c) Omit “Forty dollars”, substitute “\$40”.
Sub-section 143 (2)	Omit “the last preceding sub-section”, substitute “sub-section (1)”.
Sub-section 143A (2)	(a) Omit “paragraph (b) of the last preceding sub-section”, substitute “paragraph (1) (b)”. (b) Omit “the last preceding sub-section”, (last occurring), substitute “sub-section (1)”.
Sub-section 144 (1)	Omit “, endowment”.
Section 146	Omit “six”, substitute “6”.
Section 149	(a) Omit “One hundred dollars”, substitute “\$100”. (b) Omit “six”, substitute “6”.
The Schedules	Omit “The Schedules”.
First Schedule	Omit “First”.

SCHEDULE 2

Section 50

FORMAL AMENDMENTS OF THE SOCIAL SERVICES AMENDMENT ACT 1979

Column 1 Provision amended	Column 2 Amendments
Sub-section 115C (4)	Omit “paragraph (c) of sub-section (5)”, substitute “paragraph (5) (c)”.
Paragraph 115C (7) (a)	Omit “paragraph (c) of sub-section (6)”, substitute “paragraph (6) (c)”.
Paragraph 115C (7) (b)	Omit “paragraph (c) of sub-section (6)”, substitute “paragraph (6) (c)”.
Sub-section 115C (7)	Omit “paragraph (c) of sub-section (6)”, substitute “paragraph (6) (c)”.
Paragraph 115C (7) (e)	Omit “paragraph (c) of sub-section (6)”, substitute “paragraph (6) (c)”.
Sub-section 115C (8)	Omit “paragraph (b) of sub-section (6)”, substitute “paragraph (6) (b)”.
Paragraph 115F (a)	Omit “sub-section (3) of section 115B”, substitute “sub-section 115B (3)”.
Paragraph 115F (b)	Omit “sub-section (5) of section 115C”, substitute “sub-section 115C (5)”.
Paragraph 115F (c)	Omit “sub-section (6) of section 115C”, substitute “sub-section 115C (6)”.
Section 115G	Omit “sub-section (1) of section 143”, substitute “sub-section 143 (1)”.
Paragraph 115G (b)	Omit “sub-section (1) of section 115A”, substitute “sub-section 115A (1)”.
Paragraph 115G (c)	Omit “sub-section (3) of section 115C”, substitute “sub-section 115C (3)”.

NOTES

1. No. 26, 1947, as amended. For previous amendments, see Nos. 38 and 69, 1948; No. 16, 1949; Nos. 6 and 26, 1950; No. 22, 1951; Nos. 41 and 107, 1952; No. 51, 1953; No. 30, 1954; Nos. 15 and 38, 1955; Nos. 67 and 98, 1956; No. 46, 1957; No. 44, 1958; No. 57, 1959; No. 45, 1960; No. 45, 1961; Nos. 1 and 95, 1962; No. 46, 1963; Nos. 3 and 63, 1964; Nos. 57 and 152, 1965; No. 41, 1966; Nos. 10 and 61, 1967; No. 65, 1968; No. 94, 1969; Nos. 2 and 59, 1970; Nos. 16 and 67, 1971; Nos. 1, 14, 53 and 79, 1972; Nos. 1, 26, 48 and 103, 1973; No. 216, 1973 (as amended by No. 20, 1974); Nos. 2, 23 and 91, 1974; Nos. 34, 56, 101 and 110, 1975; Nos. 26, 62 and 111, 1976; No. 159, 1977; No. 128, 1978; No. 121, 1979; No. 130, 1980; and Nos. 61, 159 and 170, 1981.
2. No. 121, 1979.