

Act No. 74, 1900.

An Act to provide for Old-age Pensions, and for purposes in furtherance of or consequent on the aforesaid object. [11th December, 1900.]

WHEREAS it is equitable that deserving persons who during the prime of life have helped to bear the public burdens of the Colony by the payment of taxes, and by opening up its resources by their labour and skill, should receive from the Colony pensions in their old age: Be it therefore 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:—

PART I.

PRELIMINARY.

Short title and definitions.

1. This Act shall take effect on the first day of January, one thousand nine hundred and one, and may be cited as the "Old-age Pensions Act, 1900."

2. This Act is divided into the following Parts:—

Division of Act.

PART I.—PRELIMINARY—ss. 1-8.

PART II.—PENSIONS—ss. 9-36.

PART III.—PENALTIES AND MISCELLANEOUS PROVISIONS—ss. 37-52.

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Interpretation.

3. In this Act, if not inconsistent with the context,—

“Income” means any moneys, valuable consideration, or profits derived or received by any person for his own use or benefit in any year, by any means or from any source, and computed in accordance with the provisions of this Act, and includes personal earnings, but does not include any pension payable under this Act, nor any payment by way of sick allowance or funeral benefit from any registered friendly society.

“Income-year” means the twelve months ending one month before the date on which the pension-claim is admitted, and at the same time in each subsequent year.

“Prescribed” means prescribed by this Act, or by regulations thereunder.

“The board” means the Old-age Pensions Board for the district.

Net capital value of accumulated property.

4. The net capital value of accumulated property shall be computed and assessed in the prescribed manner, and for that purpose the following provisions shall apply:—

(a) All real and personal property owned by any person shall, to the extent of his beneficial estate or interest therein, be deemed to be his accumulated property.

(b) From the capital value of such accumulated property there shall be deducted all charges or encumbrances lawfully existing on such property, and also the sum of fifty pounds; the residue then remaining shall be deemed to be the net capital value of all his accumulated property.

Income, how computed.

5. The following general rules shall apply in the computation of income for all the purposes of this Act:—

(a) Any moneys, valuable consideration, or profits derived or received from accumulated property as hereinbefore defined shall not be included in the computation of income.

(b) Where any person receives board or lodging, the reasonable cost of such board or lodging, not exceeding twenty-six pounds in the year, shall be included in the computation of income.

(c) In the case of husband and wife, the income of each shall be deemed to be half the sum of the incomes of both:

Provided that this rule shall not apply where they are living apart pursuant to a decree, order, or deed of separation.

Districts and registrars.

D.istricts.

6. (1) For the purposes of this Act, the Governor may divide the Colony into such districts, with such names and boundaries as he thinks fit, and alter such names and boundaries.

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(2) If any such district is constituted by reference to the boundaries of any other portion of the Colony, as defined by any Act, proclamation, or notification, then any alteration in such boundaries shall take effect in respect of such district without any further proceedings, unless the Governor otherwise determines. Alterations of boundaries.

7. (1) The Governor may appoint a central board of three persons, who, subject to the control of the Colonial Treasurer, shall have the general administration of this Act. Central board.

(2) The Governor may also appoint a registrar for the central board, and for every other district a deputy registrar and such other officers as he deems fit. Registrar, and deputy registrars.

(3) The said appointments shall be subject to the provisions of the Public Service Act of 1895 and any Acts amending the same. Application of Public Service Act.

(4) Subject to the provisions of this Act, the registrar and every deputy registrar and other officer appointed as aforesaid shall have such powers and duties as the Governor determines. Their powers and duties.

The Boards.

8. (1) There shall for each district be a board of three persons appointed by the Governor, subject to the Public Service Act of 1895, and any Acts amending the same, and called the Old-age Pensions Board for the said district, and such board shall have the powers and duties conferred and imposed on the board by this Act or regulations made thereunder. Constitution and powers of board.

Two members of any board shall be a quorum.

(2) Each member of the board shall, before entering upon the duties of his office, make and subscribe a declaration in the form and in the manner prescribed. Declaration by members of board.

PART II.

PENSIONS.

Persons entitled to and amount of pensions.

9. (1) Subject to the provisions of this Act, every person of the full age of sixty-five years or upwards shall, whilst in the Colony, be entitled to a pension as hereinafter specified, if the following conditions are fulfilled— Persons entitled to pensions.
Necessary qualifications.

- (a) that he is residing in the Colony on the date when he establishes his claim to the pension;
- (b) that he has so resided continuously for not less than twenty-five years immediately preceding such date:

Provided

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Provided that continuous residence in the Colony shall not be deemed to have been interrupted by occasional absence therefrom, unless the total period of such absence exceeds two years; nor, in the case of a seaman, by absence therefrom whilst serving on board a vessel trading to and from the Colony, if he establishes the fact that during such absence his family or home was in the Colony:

Provided also that residence in an Australasian Colony, in which provision is made for granting old-age pensions, shall count as residence in this Colony, if—

- (i.) the claimant has, during the ten years immediately preceding the date when he establishes his claim, continuously resided in this Colony, and
- (ii.) the Colonial Treasurer certifies to the board that provision has been made by agreement with the Government of such other Colony as hereinafter mentioned.

And for the purpose of carrying out the proviso, the Colonial Treasurer, on behalf of the Government of this Colony, may agree with the Government of any such other Colony for the payment by such other Government of any such pension in whole or in part, or for the granting by such other Colony of concessions to a like amount under the old-age pension law of that Colony to persons who have been resident in this Colony.

- (c) that during the period of twelve years immediately preceding such date he has not been imprisoned for four months, or on four occasions, for any offence punishable by imprisonment for twelve months or upwards;
- (d) that during the period of twenty-five years immediately preceding such date he has not been imprisoned for a term of five years, with or without hard labour;
- (e) that he has not at any time for a period of six months or upwards, if a husband, deserted his wife, or without just cause failed to provide her with adequate means of maintenance, or neglected to maintain such of his children as were under the age of fourteen years; or, if a wife, deserted her husband or such of her children as were under that age:

Provided that, if the pension-certificate has issued, the pensioner's rights thereunder shall not be affected by any disqualification contained in this subsection unless the fact of such disqualification is established to the satisfaction of the board;

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- (f) that he is of good moral character, and is leading and has for the five years immediately preceding such date led a sober and reputable life;
- (g) that his income does not amount to fifty-two pounds or upwards;
- (h) that the net capital value of his accumulated property does not amount to three hundred and ninety pounds or upwards, computed and assessed as hereinafter provided;
- (i) that he has not directly or indirectly deprived himself of income or property in order to qualify for a pension; and
- (j) that he is the holder of a pension-certificate as hereinafter provided.

(2) A claim to a pension may be established and all steps may be taken to entitle the claimant to a pension at any time after the commencement of this Act, but no pension shall commence until the first day of July, one thousand nine hundred and one.

No pension to commence before 1st July, 1901.

10. Where it is satisfactorily proved to the Board that any person of the full age of sixty years and upwards, and under the age of sixty-five years, is unable from physical unfitness to earn his own living, and that such person if of the age of sixty-five years would be entitled under this Act to a pension, a pension shall be payable to, and the provisions of this shall apply in respect of, such person.

Colonial Treasurer may approve of pensions to persons of sixty years and upwards and physically unfit to earn their living.

11. (1) Where a husband and wife are each entitled to a pension, the amount of the pension payable to each shall, unless they are living apart pursuant to a decree, order, or a deed of separation, be nineteen pounds ten shillings per year, diminished—

Amount of pension in case of husband and wife.

- (a) by one pound for every complete pound of income of the husband or wife, as the case may be, above nineteen pounds ten shillings; and
- (b) where the husband or wife, as the case may be, have any income, by one pound for every complete fifteen pounds of the net capital value of all accumulated property of such husband or wife computed and assessed under this Act.

(2) In other cases the amount of the pension shall be twenty-six pounds per year, diminished—

In other cases.

- (a) by one pound for every complete pound of income of the pensioner above twenty-six pounds; and
- (b) where the pensioner has any income, by one pound for every complete fifteen pounds of the net capital value of all accumulated property of the pensioner, computed and assessed under this Act.

12. The rate of each year's pension shall not vary during the year.

Pension not to vary during year.

13. (1) For the purpose of ascertaining whether the claimant for a pension is entitled thereto, and also of fixing the rate of the first year's pension, his income for the next-preceding income-year shall be deemed to be his income.

Income for purposes of first year's pension.

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Income for
subsequent years.

Pensions, how
payable.

(2) For the purpose of fixing the rate of the pension for the second and each subsequent year, the pensioner's income for the income-year next preceding each such year shall be deemed to be his income.

14. With respect to every pension under this Act the following provisions shall apply:—

- (a) The pension shall be deemed to commence on the date named in that behalf in the pension-certificate issued in respect of the first year's pension, being in every case the first day of the month next after the date of the issue of such certificate.
- (b) Each year's pension shall be payable pursuant to a pension-certificate issued in respect of such year, and not otherwise.
- (c) Such certificate shall in every case specify the amount of the year's pension, and the instalments by which it is payable, being twelve equal monthly instalments, whereof the first is payable on the first day of the month next after the commencement of the year.

Pension-claims.

Pension-claim.

15. (1) Every person claiming to be entitled to a pension under this Act shall, in the prescribed manner, deliver a claim therefor (in this Act called a "pension-claim") to the deputy registrar of the district wherein the claimant resides, or to the clerk of the nearest court of petty sessions, who shall forthwith forward the same to the deputy registrar.

(2) The pension-claim shall be in the prescribed form and shall affirm all the requirements and negative all the disqualifications under this Act.

(3) Every claimant shall, by statutory declaration, affirm that the contents of his pension-claim are true and correct in every material point.

(4) Such declaration may be made before any justice of the peace, solicitor, deputy registrar, or clerk of petty sessions.

Register of pension
claims.

16. The deputy registrar of any district shall file the claim, and number it in the prescribed manner, and shall record it in the prescribed manner in a book, to be called The Old-age Pension-claim Register of the said district.

Board to
investigate pension
claims.

17. (1) The deputy registrar shall, in the prescribed manner, transmit the claim to the board, and the board shall cause the prescribed notice to be given of the day fixed for the investigation hereinafter mentioned, and may require the claimant to attend personally on that day to support his claim:

Provided that where satisfied that the documentary evidence in support of the claim is sufficient to establish it, and also that by reason of physical disability or other sufficient cause the attendance of the claimant should be dispensed with, the board shall not require the personal attendance of the claimant, who shall be notified accordingly.

(2)

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(2) The board shall on that day, or on the first convenient day thereafter, fully investigate the pension-claim for the purpose of ascertaining whether the claimant is entitled to the pension, and, if so, for what amount in respect of the first year.

18. For the purposes of such investigation, the provisions of section one hundred and forty of the Parliamentary Electorates and Elections Act of 1893 applicable to the committee mentioned in that section or any member thereof shall apply to the board or any member thereof.

Powers of board for purposes of investigation.

19. (1) In investigating any pension-claim, the board shall not be bound by the strict rules of evidence, but shall investigate and determine the matter by such means and in such manner as in equity and good conscience it thinks fit.

Strict rules of evidence not to be binding.

(2) No pension-claim shall be admitted unless the evidence of the claimant is corroborated on all material points, except that in respect of the age of the claimant; the board, if otherwise satisfied, may dispense with corroborative evidence.

Evidence of claimant to be corroborated.

20. (1) The board may admit the pension-claim as originally made, or as modified by the result of the investigation, and fix the amount of the pension, or may postpone the investigation for further evidence or reject the claim, as may be deemed equitable; and the decision of the board shall be notified to the claimant as prescribed.

How pension-claim to be dealt with.

(2) If the board is of opinion that, although the claim is not completely established, further evidence may be adduced in support thereof, or it may be mended by lapse of time, the board shall, if the claimant so desires, postpone the investigation, and in such case all matters as to which the board is satisfied shall be recorded as proved: Provided that further evidence may be adduced in respect of any matters recorded as proved.

Board may postpone claim.

(3) If the board decides that the pension-claim is not established, and cannot be mended by further evidence or by postponement of the investigation for a reasonable time, the board shall reject it, and when doing so shall specify in writing all the material points which it finds to be respectively proved, disproved, and unproved or insufficiently proved.

Mode of rejecting claim.

21. (1) In disposing of material points against the claimant, the board shall distinguish between what it finds to be disproved and what it finds to be simply unproved or insufficiently proved.

Matters to be distinguished.

(2) In respect of matters found to be disproved, the decision of the board shall be final and conclusive for all purposes; unless, on appeal being made by the claimant to the Colonial Treasurer, within the prescribed time and in the prescribed manner, the said Treasurer causes an investigation to be made as to such matters by a District Court Judge named by him in that behalf, in which case the decision

As to matters disproved.

of

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of such judge shall be final and conclusive for all purposes; and such decision shall be remitted to the board and dealt with in the same way as a decision of the board.

As to matters unproved.

(3) In respect of matters found to be simply unproved or insufficiently proved, the claimant may at any time thereafter adduce before the board fresh evidence, and in such case all material points previously found by the board to be proved shall be deemed to be established, and the board shall dispose of all other points as in the case of a new pension-claim.

Provisional investigation of pension-claims.

22. In order to facilitate the adjustment of pension-claims they may be delivered filed and provisionally investigated within any period not exceeding two years before the date on which the claimant alleges that his pension should commence; but no pension-claim shall be admitted, nor shall any pension-certificate be issued, until all the conditions prescribed in respect thereof by this Act have been fulfilled.

Pension-claims may be amended.

23. The pension-claim may be amended from time to time on any point which has not been finally disposed of.

Pension-certificate for first year's pension.

Issue of pension-certificate when claim established.

24. As soon as the pension-claim is admitted, and the rate of the first year's pension is fixed as aforesaid, the board shall in the prescribed manner certify the same to the deputy-registrar, who shall in the prescribed manner issue to the claimant a certificate (in this Act called a "pension-certificate") in the form prescribed in respect of the first year's pension.

Particulars to be entered in pension register.

25. (1) The deputy-registrar of any district shall, in a book to be called The Old-age Pension Register for the said district, enter the following particulars respecting each pension-certificate issued by him—

- (a) the number of such certificate, and the name of the district in which it is issued;
- (b) the pensioner's full name, occupation, and address;
- (c) the amount of his income for the year, and the date on which the income-year ends;
- (d) the date on which the year's pension commences;
- (e) the amount of the year's pension, the instalments by which it is payable, and the due dates thereof;
- (f) such other particulars as are prescribed.

Entries in register to be numbered.

(2) All entries of pension-certificates in the said register shall be numbered consecutively, so that no two entries in the same register bear the same number.

Transfer of pension-certificates to other districts, and issue of duplicates.

26. On application in the prescribed manner and form, and subject to prescribed conditions—

- (a) the entry in respect of any pension-certificate may be transferred from the register in one district to the register in another;
- (b)

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- (b) the deputy-registrar may issue a duplicate pension-certificate in any case where satisfactory proof is given of the loss of the original.

Pension-certificates for subsequent years.

27. For the purpose of ascertaining in respect of the second and each subsequent year, computed from the date of the commencement of the pension, whether the pensioner is entitled to any payment in respect of his pension for such year, and, if so, for what amount, the following provisions shall apply: —

- (a) Within the prescribed period before the commencement of each such year the pensioner, whether claiming any payment in respect of his pension for that year or not, shall furnish to the deputy registrar a statement in the prescribed form setting forth full particulars of his income for such year (being the income for the last preceding income-year), and also the net capital value of all his accumulated property.
- (b) If the pensioner has received no income for the year, and has no accumulated property, the statement shall contain the word "nil."
- (c) The board shall investigate the statement, and shall ascertain in the same manner, with the same powers, and subject to the same provisions as in the case of a pension-claim whether the conditions of section nine of this Act have been complied with.
- (d) The board, when satisfied as to the amount of the pensioner's income, and the net capital value of his accumulated property, and that the conditions of section nine aforesaid have been complied with, shall certify the same to the deputy registrar, who shall enter the same in the Old-age Pension Register for the district, and issue a pension-certificate, in the prescribed form, in respect of the pension (if any) to which the pensioner is entitled for that year:

Statement of
income for preceding
pension-year to be
furnished to deputy-
registrar

Issue of pension-
certificate for year.

Provided that, in lieu of issuing such certificate to the pensioner, the deputy registrar shall forward it to the manager of the bank or branch or the person authorised to pay the pension, and the said manager or person shall issue it to the pensioner in exchange for the outstanding pension-certificate.

- (e) When forwarding the pension-certificate to the said manager or person, the deputy registrar shall, in the prescribed manner, notify the same to the pensioner.

Payment

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Where pension payable.

28. (1) Each monthly instalment of the pension shall be payable at the Government Savings Bank, or any branch thereof, or at such other bank or such branch of a bank as may be appointed by the registrar for the purpose and named in the pension-certificate.

Change of place of payment.

(2) On application in the prescribed manner, such bank or branch may be changed from time to time, and every such change shall be recorded by the deputy registrar on the pension-certificate and in the old-age pension register for the district.

Instalment to be applied for within twenty-one days.

29. (1) Subject to the provisions of this Act, each monthly instalment shall be payable at any time within twenty-one days after its due date, on the personal application of the pensioner and the production of his pension-certificate to the manager of the bank or the branch, or some clerk of the bank or the branch appointed by the manager for that purpose and described in such certificate.

When instalment deemed forfeited.

(2) In default of strict compliance with all the provisions of this section, such instalment shall be deemed to be forfeited, unless the forfeiture is waived under the provisions in that behalf hereinafter contained.

When and how forfeiture may be waived.

30. (1) The board, by warrant in the prescribed form, may waive any such forfeiture in any case where, after investigation, it is satisfied—

- (a) that the forfeiture was occasioned by default of personal application for payment, or of application within the prescribed time, and that such default was due to the pensioner's illness, debility, or temporary absence from the locality where the application is to be made (but not from the Colony), or other sufficient cause; or
- (b) that the forfeiture was occasioned by default in producing the pension-certificate, and that such default was due to its being lost or mislaid:

Provided that—

- (c) except in special cases of the pensioner's illness or debility, or by permission of the central board, it shall not be lawful for the board to issue two such warrants in succession to the same pensioner; and
- (d) in no case shall any such warrant be issued unless it is applied for within fourteen days after the forfeiture.

Payment under warrant.

The instalment named in any such warrant shall be payable at any time within fourteen days after the date thereof, on the personal application of the pensioner or such other person as is named therein, and on the production of the warrant, and (except where the warrant otherwise provides) of the pension-certificate, to the manager or clerk of the bank at which the pension is payable as aforesaid, or to any person named in the warrant.

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(3) In default of strict compliance with all the provisions of the last preceding subsection, the warrant shall be deemed to have lapsed, and the forfeiture of the instalment named therein shall become absolute. When warrant deemed lapsed.

31. No pension shall be payable under this Act to any person who is maintained in any charitable institution, or receives relief therefrom, except where such person is unable, from some physical defect, to take care of himself, and in such case the following provisions shall apply:— Provision where pensioner in receipt of charitable aid.

- (a) The reasonable cost of such maintenance or relief shall be payable out of the pension.
- (b) For the purpose of procuring such payment, instalments of the pension shall be payable to the governing body of such institution in such manner as is prescribed, on production, to the manager or clerk of the bank or branch at which the pension is payable as aforesaid, of a warrant in the prescribed form issued by the board.
- (c) Any surplus pension-moneys remaining in the hands of such governing body after defraying such cost shall be paid to the pensioner.
- (d) For the purpose of computing the amount of any subsidy or contribution payable by the Government to such governing body under any Act, all instalments so paid shall be excluded.

32. Any person who, in the opinion of the board, should not receive the pension payment in cash, but who is entitled to a pension under the provisions of this Act, may, at the discretion of the board, be boarded out, and the amount of the pension to which he is entitled may be withdrawn from the consolidated revenue and paid by the board to the person selected to provide for the pensioner's support. Pensioner may be boarded out.

Every person boarded out under the provisions of this section must be inspected periodically by an official appointed by the Government.

33. Subject to the regulations made under this Act, and on production to the manager or clerk of the bank or branch at which the pension is payable of a warrant of the board in the prescribed form, the instalments may be paid to any clergyman, justice of the peace, or other reputable person named in such warrant, for the benefit of the pensioner. Payment to other than pensioner.

Such warrant may be issued by the board on being satisfied that it is expedient so to do, having regard to the age, infirmity, or improvidence of the pensioner, or any other special circumstances.

34. Every instalment which falls due during any period whilst the pensioner is in prison, an inmate of a lunatic asylum, or out of the Colony, shall be deemed to be absolutely forfeited. Period for which pension not payable.

35.

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Procedure as to
payments of
instalments by
banks.

35. With respect to the payment of instalments of pension by the manager or clerk aforesaid, the following provisions shall apply:—

- (a) The manager or clerk may, if he thinks fit, require the applicant for payment to prove his identity, but shall not be bound so to do, and may accept the production of the pension-certificate or warrant to which the instalment relates as sufficient evidence that the person producing the same is the person entitled to payment.
- (b) When making the payment, the manager or clerk shall endorse on the pension-certificate or warrant produced as aforesaid the date and fact of the payment, and shall also require the person receiving the payment to give a receipt therefor in the prescribed form.
- (c) Such receipt shall be sufficient evidence that the payment to which the receipt purports to relate has been duly made, and no claim against Her Majesty, or the bank, or the manager, or clerk shall thereafter arise or be made in respect thereof.
- (d) Where the warrant produced as aforesaid relates to a single instalment, or to the last of a series of instalments, it shall be delivered up to and retained by the manager or clerk on payment of such instalment.

Notification of issue
of warrants.

36 On the issue of any warrant the board shall notify the same to the deputy registrar, who shall record the same.

PART III.

PENALTIES AND MISCELLANEOUS PROVISIONS.

Penalties.

Imprisonment for
certain breaches of
Act.

37. Every person is liable to imprisonment for not more than six months, with or without hard labour,—

- (a) if by means of any wilfully false statement or representation, he obtains or attempts to obtain a pension-certificate, not being justly entitled thereto, or a pension of a larger amount than he is justly entitled to; or
- (b) if by any means he fraudulently obtains or attempts to obtain payment of any absolutely forfeited instalment of a pension; or
- (c) if, by means of personation or any other fraudulent device whatsoever, he obtains or attempts to obtain payment of any instalment of a pension; or
- (d) if by any wilfully false statement or representation, he aids or abets any person to obtain a pension-certificate, or any instalment of a pension.

All

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All proceedings under this section shall be taken in a summary way before a stipendiary or police magistrate or two justices of the peace.

An appeal shall lie from any conviction under this section.

38. In the case of any conviction under the last preceding section, the court, in addition to imposing the punishment thereby prescribed, shall also, according to the circumstances of the case, by order—

Additional powers
court when
convicting.

- (a) cancel any pension-certificate which is proved to have been wrongfully obtained; or,
- (b) reduce to its proper amount, any pension that has been proved to be too high; or,
- (c) impose a penalty not exceeding twice the amount of any instalment, the payment whereof has been wrongfully obtained, and, if the defendant is a pensioner, direct the forfeiture of future instalments of his pension equal in amount to such penalty and in satisfaction thereof.

39. If any pensioner is convicted of drunkenness, or of any offence punishable by imprisonment for not less than one month, then, in addition to any other penalty or punishment imposed, the court may in its discretion, by order, forfeit any one or more of the instalments falling due next after the date of the conviction:

Additional penalty
for certain offences.

Provided that if, in the opinion of the court, any pensioner convicted of any such offence mispends, wastes, or lessens his estate, or greatly injures his health, or endangers or interrupts the peace and happiness of his family, the court may by order direct that the instalment be paid to any clergyman, justice of the peace, or other reputable person, for the benefit of the pensioner, or may by order cancel the pension-certificate: Provided further that it shall not be lawful for any licensed publican to knowingly supply to any person receiving a pension under this Act any fermented or spirituous liquor, and any person convicted of an offence under this section shall be liable to a penalty of not exceeding ten pounds.

40. If any pensioner is sentenced to imprisonment for twelve months or upwards in respect of any offence dishonouring him in the public estimation, the court shall, by order, cancel the pension-certificate.

Pension-certificate
to be cancelled on
imprisonment for
certain offences.

41. In any case where any pension-certificate is cancelled by order of a court, the pension shall be deemed to be absolutely forfeited.

When pension
absolutely forfeited.

42. In every case where any instalment is forfeited or any pension-certificate is cancelled by order of a court, the clerk of the court shall forthwith notify the board and the deputy registrar of such forfeiture or cancellation, and the deputy registrar shall record the same.

Notice of forfeiture
to deputy registrar.

*Old-age Pensions.**Miscellaneous.*

Pensions absolutely inalienable.

43. The pension being for the personal support of the pensioner, it shall (subject to the provisions of this Act as to payment, forfeiture, and otherwise) be absolutely inalienable, whether by way of assignment, charge, execution, bankruptcy, or otherwise howsoever.

Returns to be prepared by deputy registrars.

44. (1) Every deputy registrar shall, in the prescribed manner and at prescribed intervals, prepare and forward to the registrar a return showing for each such interval—

- (a) all pension-certificates issued and warrants recorded by him;
- (b) all forfeitures recorded by him;
- (c) such other particulars as are prescribed.

General Register.

(2) The registrar shall from the aforesaid returns compile a General Old-age Pension Register, containing a record of all pension-certificates for the time being in force and such other particulars as are prescribed.

Particulars to be furnished to Colonial Treasurer.

45. The registrar shall, at prescribed intervals, furnish to the Colonial Treasurer schedules showing for each such interval—

- (a) the names of pensioners;
- (b) the numbers of their pension certificates;
- (c) the dates on which and the banks and branches at which the instalments in respect thereof are payable; and
- (d) the amount of the instalments payable.

Payment out of Consolidated Revenue Fund

46. The Colonial Treasurer shall from time to time, without further appropriation than this Act, pay out of the Consolidated Revenue Fund whatever moneys are necessary in order to enable the instalments specified in such schedules in respect of pensions granted under this Act to be paid.

Expenses of administration

47. All expenses incurred in administering this Act (other than the payment of pensions) shall be payable out of the moneys to be from time to time appropriated by Parliament.

Annual statement to be laid before Parliament.

48. The Colonial Treasurer shall, within thirty days after the close of each financial year, prepare and lay before Parliament, if sitting, or, if not sitting, then within fourteen days after the commencement of the next session, a statement showing for such year—

- (a) the total amount paid under this Act in respect of pensions;
- (b) the total amount so paid in respect of other than pensions;
- (c) the total number of pensioners;
- (d) the total amount of absolutely forfeited instalments; and
- (e) such other particulars as are prescribed.

Regulations.

49. The Governor may make such regulations as he thinks necessary for any purpose for which regulations are contemplated or required, and, generally, for carrying out the intention of this Act, and such regulations upon publication in the Gazette shall have the full force of law, and shall be laid before Parliament within fourteen days after

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after making thereof if Parliament be then in session, and if not within fourteen days after the commencement of the then next ensuing session of Parliament.

50. A copy of this Act shall be posted, so as to be available for public information, at every bank at which instalments of pensions are payable under this Act, and a list containing the names of the pensioners whose instalments are paid at such bank shall be kept thereat. Act to be posted at banks.
List of pensioners.

51. This Act, in so far as it provides for the grant of pensions, shall not apply to— To whom Act not to apply.

- (a) aliens;
- (b) naturalised subjects, except such as have been naturalised for the period of ten years next preceding the date on which they make their pension-claims;
- (c) Chinese or other Asiatics, whether naturalised or not; or
- (d) aboriginal natives.

52. (1) Every pension granted under this Act shall be deemed to be granted and shall be held subject to the provisions of any amending or repealing Act that may hereafter be passed; and no pensioner under this Act shall have any claim for compensation or otherwise by reason of his pension being affected by any such amending or repealing Act. Pensions granted subject to any amending Act.

(2) A notification of the last preceding subsection shall be printed on every pension-certificate.
