

THE TERRITORY OF NAURU

NO. 45 of 1966

A N O R D I N A N C E

To amend the Social Services Ordinance 1956-1965.

(Assented to 17 MAY 1966).

Be it ordained by the Legislative Council for the Territory of Nauru, in pursuance of the powers conferred by the Nauru Act 1965 as follows:-

SOCIAL SERVICES ORDINANCE 1966

Short title and citation. 1.- (1.) This Ordinance may be cited as the Social Services Ordinance 1966.

(2.) The Social Services Ordinance 1956-65 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Social Services Ordinance 1956-1966.

2. Sections three to five (inclusive) of the Principal Ordinance are repealed and the following sections inserted in their stead:

Parts. "3. This Ordinance is divided into Parts as follows:-

Part I. - Preliminary (Sections 1-5).

Part II. - Administration (Sections 6-10).

- Part III. - Age and Invalid Pensions.
- Division 1. - Preliminary (Sections 11-12).
 - Division 2. - Qualifications for Age Pensions
(Sections 13-14).
 - Division 3. - Qualifications for Invalid
Pensions (Sections 15-18).
 - Division 4. - Rate of Pensions (Section 19).
 - Division 5. - Wives' Allowances (Sections 20-24).
 - Division 6. - Payment of Pensions (Section 25-28).
 - Division 7. - Review of Pensions (Sections 29-31).
 - Division 8. - General (Sections 32-35).
- Part IV. - Widows' Pensions.
- Division 1. - Preliminary (Sections 36-37).
 - Division 2. - Qualifications for Widow's Pension
(Sections 38-39).
 - Division 3. - Rate of Pensions (Section 40).
 - Division 4. - Payment of Pensions (Sections
41-44).
 - Division 5. - Review of Pensions (Sections 45-47).
 - Division 6. - General (Sections 48-52).
- Part V. - Child Endowment (Sections 53-61).
- Part VA. - Sickness Benefits.
- Division 1. - Preliminary (Section 61A).
 - Division 2. - Qualifications for Sickness Benefit
(Sections 61B-61C).
 - Division 3. - Rate of Sickness Benefit (Sections
61D-61F).
 - Division 4. - Payment of Sickness Benefit
(Sections 61G-61J).
 - Division 5. - Review of Sickness Benefit (Sections
61K-61N).
 - Division 6. - General (Sections 61N-61P).
- Part VI. - Miscellaneous (Sections 62-66).

Definitions.

"4. In this Ordinance, unless the contrary intention appears -

'child' means a person whose age is less than the school leaving age;

'claim' means a claim for a pension, allowance, endowment or benefit made under this Ordinance;

'school leaving age', in relation to a person, means the age until which the person is required to attend school and other training by virtue of sections three, three A and three B of the Compulsory Education Ordinance 1921-1966.

Persons qualified to receive pensions, etc.

"5.- (1.) A person is not qualified to receive a pension, allowance, endowment or benefit under this Ordinance unless he is a Nauruan or a Pacific Islander.

"(2.) A person who is a Pacific Islander is not qualified to receive a pension, allowance, endowment or benefit, other than child endowment, under this Ordinance.

"(3.) In this section, a reference to a person who is a Pacific Islander shall be read as a reference to a person who -

(a) is a Pacific Islander within the meaning of the Nauruan Community Ordinance 1956-1966; and

(b) is not the holder of a certificate of exemption issued under section four of the Immigration Act 1901-1920 of the Commonwealth in its application in Nauru that is expressed to be in force for a specified period only."

Administration of Ordinance.

3. Section six of the Principal Ordinance is amended by omitting from sub-section (3.) the words "or endowment" and inserting in their stead the words ", endowment or benefit".

4. Section seven of the Principal Ordinance is repealed and the following section inserted in its stead:-

Monthly statement by Council to Administrator.

"7. The Council shall, not later than the fourteenth day in each month, furnish to the Administrator, in writing, a statement, containing such particulars as the Administrator directs, of -

- (a) claims for pensions, allowances, endowments and benefits, and claims for variations or reinstatements of pensions, allowances and benefits, made to the Council during the month preceding the month in which the statement is furnished; and
- (b) pensions, allowances, endowments and benefits granted, refused, varied, reinstated, cancelled or suspended during that month."

Claims.

5. Section eight of the Principal Ordinance is amended by omitting the words "or endowment" and inserting in their stead the words ", endowment or benefit".

Benefits to be absolutely inalienable.

6. Section sixty-two of the Principal Ordinance is amended by omitting the words "or endowment" and inserting in their stead the words ", endowment or benefit".

Offences.

7. Section sixty-three of the Principal Ordinance is amended by omitting the words "or endowment" (wherever occurring) and inserting in their stead the words ", endowment or benefit".

Recovery of overpayments.

8. Section sixty-four of the Principal Ordinance is amended -

- (a) by omitting from sub-section (1.) the words "or endowment" and inserting in their

stead the words ", endowment or benefit";

and

(b) by omitting sub-section (2.) and inserting in its stead the following sub-section:-

"(2.) Notwithstanding anything contained in this Ordinance, where, for any reason, an amount has been paid by way of pension, allowance, endowment or benefit that should not have been paid, and the person to whom, or on whose account, that amount was paid is receiving, or is entitled to receive, some other pension, allowance or benefit (other than child endowment under Part V.), that amount may, if the Council in its discretion so determines, be deducted from that other pension, allowance or benefit."

Payment of pension, etc., on death of pensioner, etc.

9. Section sixty-five of the Principal Ordinance is amended by omitting the words "or endowment" (wherever occurring) and inserting in their stead the words ", endowment or benefit".