

NORFOLK



ISLAND

Social Services (Amendment) Act 1984

Act No. 21 of 1984

AN ACT

Relating to social services.

[Reserved for assent 14 November 1984]

[Assented to 13 December 1984]

BE IT ENACTED by the Legislative Assembly of Norfolk Island as follows —

Short title

1. This Act may be cited as the *Social Services (Amendment) Act 1983*.*

Interpretation

2. The *Social Services Act 1980*¹ is in this Act referred to as the Principal Act.

Variation of rates of benefit

3. Section 29 of the Principal Act is repealed and the following section substituted —

Variation of rates of benefits

“29. (1) In this section —

‘calculated rate’ means a rate calculated as provided by subsection (4);

‘relevant rate’ means the rate of a benefit (other than a special benefit) as specified in the Schedule and, if such a rate has been varied under section 49, means that rate as so varied;

‘substituted rate’ means a rate substituted, as provided by subsection (4) or (5), for a relevant rate.

*Commenced on 10 January 1985. See *Norfolk Island Government Gazette* of 10 January 1985.

“(2) The factor to be ascertained for the purposes of subsection (4) as at a particular date is the number, calculated to 3 places of decimals, ascertained by dividing the retail price index number for Norfolk Island ascertained as at that date by the highest previously ascertained retail price index number for Norfolk Island ascertained as at 30 June or 31 December.

“(3) If the number so calculated would, if it were calculated to 4 places of decimals, end in 5 or a higher number, then that number shall be increased by 0.001.

“(4) Where the factor ascertained in accordance with subsections (2) and (3) as at 30 June or 31 December in a year is greater than 1, this Act has effect as if for each relevant rate there were substituted a rate calculated by multiplying by that factor —

- (a) (except in a case to which paragraph (b) applies) — the relevant rate; or
- (b) where, by reason of another application or several other applications of this Act, this Act has had effect as if another rate were substituted, or other rates were successively substituted, for the relevant rate — the substituted rate or the last of those substituted rates, respectively.

“(5) Where a calculated rate is not a multiple of 10 cents per fortnight, the rate that is to be substituted as provided by subsection (4) —

- (a) if the calculated rate exceeds the next lower rate that is a multiple of 10 cents by 5 cents or more — is the next higher rate per fortnight that is a multiple of 10 cents; or
- (b) in any other case — is the lower rate.

“(6) Subject to subsection (7), a substituted rate has effect in relation to each instalment of benefit payable after particulars of the retail price index for Norfolk Island by reference to which that rate was ascertained were published in the *Gazette* and until the next substituted rate has effect.

“(7) A substituted rate ascertained by reference to the retail price index for Norfolk Island ascertained as at 31 December 1983 is payable in relation to each instalment of benefit payable after the date of commencement of the *Social Services (Amendment) Act 1983* and until the next substituted rate has effect.”

Schedule

4. The Schedule to the Principal Act is amended by omitting the figures “96.16”, “80.10”, “19.22”, “25.20” and “15” and substituting “139.40”, “116.30”, “25.70”, “33.90” and “20.10”.

NOTES

1. Act No. 9 of 1981 as amended by Act No. 16 of 1981.