

Act, be deemed to be a person detained in New Zealand in an institution under the Mental Defectives Act, 1911 ; and

(b) A person who is detained in New Zealand in an institution under the Mental Defectives Act, 1911, shall, for the purposes of the Social Services Consolidation Act, be deemed to be an inmate of a hospital for the insane.

13. In determining the amount of a pension, allowance, endowment, or benefit payable to a person in pursuance of this part of this agreement, the pension, allowance, endowment, or benefit shall, subject to the provisions of this part of this agreement, be granted, computed, and assessed under the provisions of the laws of Australia or of New Zealand according to the country in which that person is resident.

14. A pension, allowance, endowment, or benefit payable in pursuance of this part of this agreement shall be paid in accordance with the conditions and practice for the time being in force in Australia or New Zealand, as the case may be, in relation to pensions, allowances, endowments, or benefits of that class.

15. Nothing in this part of this agreement shall affect the entitlement of a person to a pension, allowance, endowment, or benefit to which he would have been entitled if this agreement had not been made.

PART III.—PAYMENT ON AN AGENCY BASIS

16. This part of this agreement shall apply to persons ordinarily resident in Australia who are in New Zealand and to whom Part II of this agreement does not apply and to persons ordinarily resident in New Zealand who are in Australia and to whom Part II of this agreement does not apply.

17. (1) Where a person ordinarily resident in Australia is in New Zealand and, in the opinion of the Social Security Commission, that person is not permanently resident in New Zealand, that person shall not, by reason only of his absence from Australia, be disqualified from receiving any pension, allowance, endowment, or benefit under the Social Services Consolidation Act to which he would have been entitled if he had remained in Australia.

(2) The Director-General may, in any such case, withhold payment of the whole or such part of the pension, allowance, endowment, or benefit as he thinks fit until the return of that person to Australia.