

WORKMEN'S COMPENSATION ORDINANCE 1972

1057

No. 11 of 1972

An Ordinance to amend the *Workmen's Compensation Ordinance 1949* as amended

[Assented to 1 June, 1972]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1. This Ordinance may be cited as the *Workmen's Compensation Ordinance 1972*. Short title

2. The *Workmen's Compensation Ordinance 1949* as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3.—(1.) The Second Schedule to the Principal Ordinance is amended as set out in the following table:— Second Schedule

Provision amended	Omit	Insert
Paragraph (1.) (a) (i)	Twelve thousand dollars	Thirteen thousand five hundred dollars
Paragraph (1.) (a) (iii)	One hundred and twenty dollars	Three hundred dollars
Paragraph (1.) (b)	Thirty-one dollars and eighty cents	Thirty-five dollars
Paragraph (1.) (b) (i)	Seven dollars and seventy cents	Eight dollars and fifty cents
Paragraph (1.) (b) (ii)	Two dollars and eighty cents	Five dollars
Paragraph (1.) (c) (i)	Thirty-one dollars and eighty cents	Thirty-five dollars
Paragraph (8A.)	Two hundred and eighty dollars	Five hundred dollars
Paragraph (12.)	Twelve thousand dollars	Thirteen thousand five hundred dollars

(2.) Paragraph (2.) (b) (iii) of the Second Schedule is repealed. Repeal

4.—(1.) Where, immediately before the date of commencement of this Ordinance, a person was receiving or was entitled to receive, weekly payments in accordance with the Second Schedule to the Principal Ordinance, he is, from and including that date, entitled to receive weekly payments in accordance with the Principal Ordinance as amended by this Ordinance. Adjustment of weekly payments, &c., under prior Ordinances

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(2.) Where, before the date of commencement of this Ordinance, a workman sustained an injury or contracted a disease in respect of which weekly payments in accordance with the Second Schedule to the Principal Ordinance would have been payable immediately before that date but for the fact that he was not then incapacitated for work, and on or after that date he became incapacitated for work as a result of the injury or disease, weekly payments in respect of that incapacity shall be in accordance with the Principal Ordinance as amended by this Ordinance.

(3.) Where, on or after the date of commencement of this Ordinance, death results from an injury or a disease that was sustained or contracted before that date and in respect of which compensation was payable under the Principal Ordinance, compensation shall be paid in respect of that death in accordance with the Principal Ordinance as amended by this Ordinance.

(4.) Where, immediately before the date of commencement of this Ordinance, a workman was receiving, or was entitled to receive, weekly payments in accordance with the Second Schedule to the Principal Ordinance in respect of an injury or injuries sustained or a disease contracted before that date, the provisions of section 12 of the Principal Ordinance as amended by this Ordinance apply in relation to the injury, injuries or disease.

Existing
policies of
insurance

5.—(1.) A policy of insurance against liability under the Principal Ordinance, in force immediately before the commencement of this Ordinance, has effect during the unexpired balance of the currency of the policy as if it applied to liability under the Principal Ordinance as amended by this Ordinance.

(2.) An employer to whom any such policy has been issued is liable to pay to the insurer, in respect of the additional liability which he may incur as a result of the amendments to the Principal Ordinance effected by this Ordinance, additional premium for the period of the unexpired balance of the currency of the policy, being additional premium equal to the difference between the premium for that period at the rate of premium payable under the policy and the premium for that period at the rate that would have been payable if the policy had been issued, for the purposes of the Principal Ordinance as amended by this Ordinance, upon the date of commencement of this Ordinance.

(3.) Where an insurer under a policy of insurance effected before the commencement of this Ordinance would have been liable, if this Ordinance had not been made, to indemnify a person against his liability under the Principal Ordinance arising

out of an injury sustained or a disease contracted before the commencement of this Ordinance, the insurer is liable to indemnify the person against liability under the Principal Ordinance, as amended by this Ordinance, arising out of the injury or the contracting of the disease.
