

(4) A certificate of competency granted, or having effect as if granted, under the *Inspection of Machinery Act 1960*, that is in force immediately before the commencement of this Act has effect as a certificate of competency granted under this Act.

(5) Except as otherwise expressly provided therein, nothing in this section prejudices or affects the operation, in relation to this Act, of the *Acts Interpretation Act 1931*, and for the purposes of that Act this Act shall be deemed to be an Act repealing and consolidating the enactments repealed by this Act.

(6) In this section "the repealed Act" means the *Mines and Works Regulation Act 1915*.

Consequential amendments.

**59**—(1) Section four of the *Inspection of Machinery Act 1960* is amended by adding at the end thereof the following subsection:—

"(6) This Act has effect subject to section twenty-six of the *Mines Inspection Act 1968*."

(2) Subsection (2) of section two of the *Mining Act 1929* is repealed.

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## AMBULANCE.

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No. 18 of 1968.

AN ACT to amend the *Ambulance Act 1959*.

[5 July 1968.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

**1**—(1) This Act may be cited as the *Ambulance Act 1968*.

(2) The *Ambulance Act 1959*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** After section forty-two A of the Principal Act the following section is inserted:—

Compensation for injuries, &c., to ambulance officers.

"42B—(1) If an ambulance officer suffers personal injury or death by accident arising out of and in the course of the performance of his ambulance duties and neither he nor his dependants are entitled to compensation under the *Workers'*

*Compensation Act 1927* in respect of that injury or death, then that officer is or, in the case of his death, his dependants are, entitled to compensation in accordance with this section.

“(2) For the purposes of this section an ambulance officer is a person who has undertaken to perform duties in pursuance of an arrangement or agreement made with him by an ambulance authority in the exercise of its functions, and references in this section to the performance of his ambulance duties shall be construed as references to the performance of any duties that, pursuant to that agreement or arrangement, he is authorized or required to perform.

“(3) Where a board has made arrangements with a person or body under section nineteen any agreement or arrangement made by that person or body for the purposes of carrying out those arrangements shall for the purposes of this section be regarded as an agreement or arrangement made by that board.

“(4) References in this section to the performing of duties shall be construed as including references to the undergoing of training or instruction.

“(5) Without prejudice to the generality of the provisions of subsection (1) of this section but subject to subsection (6) of this section—

- (a) where an ambulance officer travels to a place for the purpose of performing ambulance duties his so travelling shall be deemed to form part of those duties if he so travels from his place of residence or employment or from a place at which he receives a request to perform those duties, or from some other place at which he has performed, or has attended for the purpose of performing, ambulance duties; and
- (b) where an ambulance officer, having performed ambulance duties at any place or attended at any place for the purpose of performing ambulance duties, is travelling in order to return to his place of residence or employment, his so travelling shall be deemed to form part of those duties.

“(6) Where an ambulance officer is travelling between any two places referred to in subsection (5) of this section, that subsection does not apply in respect of—

- (a) any substantial interruption of, or substantial deviation from, his journey, made for reasons unconnected with the performance of his ambulance duties; or
- (b) any other break in his journey that, having regard to all the circumstances, was not reasonably incidental to the journey.

“(7) The amount of the compensation payable under this section in respect of the injury or death of an ambulance officer shall, on the application of the authority by which it is payable or of the officer or any of his dependants, be determined by the Commission, and the Commission may determine that any such compensation shall be paid in a lump sum or by way of periodical payments.

“(8) A determination made for the purposes of subsection (7) of this section shall be made so as to ensure that, as nearly as may be, the amount of the compensation payable under this section in respect of the injury or death of an ambulance officer is equivalent to the aggregate of the following amounts, that is to say:—

- (a) The amount of the compensation that would be payable under the *Workers' Compensation Act 1927* if the injury or death were an injury or death by accident arising out of and in the course of the employment of the ambulance officer by the ambulance authority by which the compensation is payable; and
- (b) The costs that that authority would be liable to pay under section eight A of that Act in respect of the injury or death if it had been such an injury or death as is referred to in paragraph (a) of this subsection.

“(9) Any compensation payable under this section in respect of an accident arising out of and in the course of the performance of his duties by an ambulance officer shall be paid by the ambulance authority pursuant to the arrangement or agreement with which those duties were authorized or required to be performed, and may be recovered by the person to whom the compensation is payable as a debt due to him by that authority.

“(10) In this section ‘dependants’, when used in relation to a person who suffers death or injury by accident, means those persons who would be his dependants within the meaning of the *Workers' Compensation Act 1927* if he were a worker within the meaning of that Act.”.

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## PHYSIOTHERAPISTS' REGISTRATION.

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No. 19 of 1968.

AN ACT to amend the *Physiotherapists' Registration Act 1951*. [5 July 1968.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—