

## WORKERS' COMPENSATION

No. 43 of 1948.

AN ACT to amend the *Workers' Compensation Act 1927*.  
[18 November, 1948.]

**B**E 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:—

**1**—(1) This Act may be cited as the *Workers' Compensation Act 1948*. Short title and citation.

(2) The *Workers' Compensation Act 1927\**, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section five of the Principal Act is amended by inserting after subsection (3) the following subsections:— Liability of employers in respect of injuries sustained by workers. Cf. N.S.W. s. 7. Vict. s. 5.

“(3A) Without limiting the generality of the provisions of subsection (1) but subject to the provisions of subsection (2), an injury by accident to a worker shall be deemed to arise out of and in the course of the employment if the accident occurs—

- I. While the worker on any working day on which he has attended at his place of employment pursuant to his contract of employment is present at his place of employment: or
- II. While the worker is travelling between his place of residence or place of employment and any trade, technical, or other training school which he is required to attend by the terms of his employment or as an apprentice, or which he is expected by his employer to attend, or is in attendance at any such school.

(3B) The provisions of paragraph II. of subsection (3A) shall not apply in respect of any injury received by a worker while travelling between any places mentioned in that subsection if the injury is received during or after—

- I. Any substantial interruption of, or substantial deviation from, his journey, made for a reason unconnected with his employment, or unconnected with his attendance at the school, as the case may be: or
- II. Any other break in his journey which, having regard to all the circumstances, was not reasonably incidental to any such journey.”.

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\* 18 Geo. V. No. 82. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 283. Subsequently amended by 4 Geo. VI. No. 30, 6 Geo. VI. No. 33, 7 Geo. VI. No. 56, 10 Geo. VI. No. 34, and 11 & 12 Geo. VI. No. 93. (As so amended, this Act has been reprinted in accordance with the provisions of the *Amendments Incorporation Act 1906*.)