

WORKERS' COMPENSATION.

No. 59 of 1951.

AN ACT to amend the *Workers' Compensation Act 1927*. [20 November, 1951.]

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 *Workers' Compensation Act 1951*.

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

Application of Act.

2 Section four of the Principal Act is amended by omitting from paragraph I. of subsection (3) the word "fifteen" and substituting therefor the word "twenty-five."

3 After section eight A of the Principal Act the following section is inserted in Part II.:—

Liability of employers for certain travelling, &c., expenses.

"8B.—(1) Where a worker suffers injury by accident, or is disabled or dies as a result of any disease, arising out of and in the course of his employment, and the worker or his dependants is or are entitled to compensation under section five in respect of that injury or disease, the employer shall, subject to this section, be liable to pay, in addition to the compensation, if any, otherwise payable by the employer in accordance with that section, the travelling and other expenses referred to in this section.

(2) Subject to subsection (4) of this section, where, in order to submit himself for examination pursuant to section twenty-six, a worker is required to travel from his place of residence to some other place, the employer shall pay all reasonable expenses incurred by the worker in so travelling and also a sum to defray the cost of meals and lodging necessarily incurred by the worker while absent from his place of residence for the purpose of submitting himself for that examination.

(3) The sum payable for the purpose of defraying the cost of meals and lodging pursuant to subsection (2) of this section shall be at the rate of ten shillings per day, but so that the total amount payable in any one week in respect of any one worker shall not exceed the sum of three pounds, and the sum so payable in the aggregate, in respect of any one person, shall not in any case, exceed twenty-five pounds.

* 18 Geo. V. No. 82. For this Act, as amended to 1947, see Appendix D to the annual volume of the Statutes for 1948 (12 & 13 Geo. VI.). Subsequently amended by No. 43 of 1948, and No. 83 of 1950.

(4) Notwithstanding the foregoing provisions of this section, no sum shall be payable in respect of the cost of meals and lodging in the case of any worker who has no dependants, unless that worker has incurred expenses in respect of meals and lodging in excess of those which he would have incurred had he remained at his place of residence, and any sum which becomes payable to any such worker shall not in any case exceed the amount of that excess.

(5) In addition to any amount payable by an employer under the foregoing provisions of this section, the employer shall be liable to pay the reasonable costs and expenses (including the reasonable cost of any meals and lodging) reasonably incurred by any other person attending the worker while travelling from his place of residence to the place at which he is required to undergo medical examination, and on the return journey from the last-mentioned place, in any case where a medical practitioner has certified in writing that—

- I. The worker is under the age of nineteen years: or
- II. The worker is—

(a) Blind, or is suffering from defective eyesight:

or

(b) Mentally defective or of unsound mind,

and that it is necessary, in the circumstances, that he be accompanied by some other person while travelling for the purpose of undergoing that medical examination.

“(6) The costs and expenses payable by an employer pursuant to subsection (5) of this section shall be payable at a rate not exceeding one pound per day, but so that the amount so payable, in respect of any one person, shall not, in any case, exceed, in the aggregate, twenty-five pounds.”.

4 After section eleven of the principal Act the following section is inserted in Part IV:—

Workers to submit medical certificates in certain cases.

“11A Where a worker makes any claim for compensation under this Act in respect of any injury suffered by him, or any disablement as the result of any disease, the worker shall, as and when prescribed, produce to his employer a medical certificate, or, as the case may be, medical certificates, covering the whole of the period of his disablement as the result of that injury or disease.”.

5 Rule 1 of the rules set forth in the first schedule to the Principal Act is amended—

Amount of compensation in case of death.

- (a) by omitting from paragraph I. of sub-rule (2) the words “two hundred and fifty” and substituting therefor the words “seven hundred and fifty”;
- (b) by omitting from paragraph II. of that sub-rule the words “two hundred and fifty” and substituting therefor the words “seven hundred and fifty”.

Scale of compensation for specified injuries.

6 Rule 4 of the rules set forth in the first schedule to the Principal Act is amended—

(a) by omitting therefrom the table set forth in sub-rule (1) thereof and substituting therefor the following table:—

" FIRST COLUMN.	SECOND COLUMN.
Injury.	Amount of Compensation Payable.
	£
Total loss of the sight of both eyes	1,750
Total loss of the sight of an only eye	1,750
Total loss of both hands	1,750
Total loss of both feet	1,750
Total loss of a hand and a foot	1,750
Total and incurable loss of mental powers involving inability to work	1,750
Total and incurable paralysis of the limbs or of mental powers	1,750
Total loss of an arm or of the greater part of an arm	1,400
Total loss of a hand or of five fingers of a hand, or of the lower part of an arm	1,225
Total loss of a leg	1,310
Total loss of a foot	1,050
Total loss of the lower part of a leg	1,120
Total loss of the sight of one eye, together with the serious diminution of the sight of the other eye	1,310
Total loss of hearing	1,050
Complete deafness of one ear	400
Total loss of the sight of one eye	700
Loss of binocular vision	700
Total loss of a thumb	525
Total loss of a forefinger	350
Total loss of two joints of forefinger of either hand	210
Total loss of a joint of a thumb	280
Total loss of the first joint of the forefinger of either hand	150
Total loss of the first joint of the middle or little or ring finger of either hand	120
Total loss of the middle finger of either hand	210
Total loss of the little or ring finger of either hand	190
Total loss of two joints of the middle finger of either hand	160
Total loss of two joints of the little or ring finger of either hand	150
Total loss of the great toe of either foot	350
Total loss of a joint of the great toe of either foot	175
Total loss of any other toe	120
Total loss of a joint of any other toe	35
Partial loss of the sight of both eyes or of an only eye	Such percentage of £1,750 as is equal to the percentage of the diminution of sight measured without the aid of a correcting lens.
Partial loss of the sight of one eye	Such percentage of £700 as is equal to the percentage of the diminution of sight measured without the aid of a correcting lens ".

- (b) by omitting from paragraph IV. of sub-rule (2) of the said rule 4, the words "two hundred and fifty" and substituting therefor the words "seven hundred and fifty."

7 Rule 2 of the rules set forth in the first schedule to the Principal Act is amended by omitting from sub-rule (6) thereof the words "five hundred" and substituting therefor the words "seven hundred and fifty."

Amount of compensation in case of incapacity.

8 Rule 5 of the rules set forth in the first schedule to the Principal Act is amended by omitting from sub-rule (4) thereof the words "two hundred and fifty" and substituting therefor the words "seven hundred and fifty."

Compensation for injuries comprising more than or a part of any injury specified in Rule 4.

WAGES BOARDS.

No. 60 of 1951.

AN ACT to amend the *Wages Boards Act* 1920.
[20 November, 1951.]

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:—

1—(1) This Act may be cited as the *Wages Boards Act* 1951.

Short title and citation.

(2) The *Wages Boards Act* 1920*, as subsequently amended, is in this Act referred to as the Principal Act.

* 11 Geo. V. No. 51. For this Act, as amended to 1936, see Reprint of Statutes, Vol. VI., p. 1236. Subsequently amended by 2 & 3 Geo. VI. No. 71, 4 Geo. VI. No. 45, 6 Geo. VI. No. 31, 8 & 9 Geo. VI. No. 48, 9 & 10 Geo. VI. No. 65, 11 Geo. VI. No. 25, and No. 8 of 1950.