

Projects
under the
Common-
wealth and
State Housing
Agreement.

6—(1) Every housing project within the meaning of clause sixteen of the Commonwealth and State Housing Agreement set out in the schedule to the *Commonwealth and State Housing Agreement Act 1945** which is commenced before the thirty-first day of August, 1951, and to which but for this section that agreement would apply shall be deemed subject to the provisions of the Principal Act, other than so much of section fourteen A as provides for giving effect to that agreement, as if commenced, carried out, and dealt with under such provisions, and in no way whatsoever subject to that agreement or to the *Commonwealth and State Housing Agreement Act 1945** or to so much of section fourteen A as aforesaid.

(2) All moneys applied by the Treasurer as provided in section three of the *Commonwealth and State Housing Agreement Act 1945** shall be repaid to the Commonwealth forthwith out of moneys borrowed for the purposes of the Principal Act.

* 9 & 10 Geo. VI. No. 39, as amended by 11 & 12 Geo. VI. No. 96.

WORKERS' (OCCUPATIONAL DISEASES) RELIEF FUND.

No. 88 of 1950.

AN ACT to amend the *Workers' (Occupational Diseases) Relief Fund Act 1928*.

[21 December, 1950.]

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' (Occupational Diseases) Relief Fund Act 1950*.

(2) The *Workers' (Occupational Diseases) Relief Fund 1928**, as subsequently amended, is in this Act referred to as the Principal Act.

* 19 Geo. V. No. 52. For this Act, as amended to 1949, see the annual volume for 1949, Appendix C.

2 Section two of the Principal Act is amended—Interpre-
tation.

- (a) by omitting from the definition of "Mining employee" the words "salary or other remuneration is at a rate not exceeding eleven pounds a week" and substituting therefor the words "average weekly earnings, determined in accordance with the provisions of the second schedule, do not exceed fifteen pounds."; and
- (b) by inserting at the end of the definition of "Nurse" the words "and includes a person employed in such a hospital as a radiologist, bio-chemist, or physiotherapist."

3 Section twelve of the Principal Act is amended by omitting from subsection (2) the words "one pound five shillings" and substituting therefor the words "two guineas".

Travelling
expenses.

4 After section sixteen of the Principal Act the following section is inserted:—

"16A. Every employee shall present himself in the prescribed manner to a certifying medical officer—

Biennial and
final medical
examinations.

I. For medical examination (to be called a "biennial medical examination")—

(a) During the year 1951: or

(b) If he presented himself in accordance with section sixteen after the thirty-first day of December, 1949, within two years after he so presented himself—

and thereafter at intervals not exceeding two years: and

II. If he is an eligible employee who has for the purposes of subsection (3) of section thirty-three been engaged continuously in mining operations in this State for a period of two years immediately prior to ceasing to be an employee, for medical examination (to be called a "final medical examination") within twenty-eight days after he ceases to be an employee."

5 Section twenty-two of the Principal Act is amended in subsection (2)—

Contribu-
tions to the
fund.

- (a) by inserting after the word "shilling" the words "and sixpence"; and
- (b) by omitting the word "double" and substituting therefor the word "thrice".

Compensation.

6 Section thirty-three of the Principal Act is amended—

(a) by omitting subsection (2) and substituting therefor the following subsection:—

“(2) For the purposes of this Act an eligible employee means—

I. An employee who—

(a) Is exempt from medical examination under section sixteen: or

(b) Has been examined by a certifying medical officer under section sixteen, and upon such examination has been certified to be free from disease, and such certificate has not been reversed by a medical referee on appeal within the prescribed time: and

II. A person who is or has been engaged in mining operations in Tasmania and whom the Board by an unanimous decision of all its members, at its sole discretion, declares as a case of hardship to be an eligible employee.”.

(b) by omitting from subsection (3) after the words “a period of” the word “five” and substituting therefor the word “two”;

(c) by omitting from paragraph 1. of subsection (3) the word “two” and substituting therefor the word “five” and by inserting after the word “dust” the words “and if he has presented himself for final medical examination as provided in section sixteen A”; and

(d) by omitting from subsection (4) the words “five” and “six” and substituting respectively therefor the words “two” and “three”.

7 Section thirty-four of the Principal Act is amended—

(a) by omitting from subsection (2) the words “one pound fifteen shillings” and substituting therefor the words “three pounds”;

(b) by omitting from subsection (3) the words “two pounds five shillings” and substituting therefor the words “five pounds” and by omitting therefrom the words “five shillings”, second occurring, and substituting therefor the words “seven shillings and sixpence”; and

(c) by omitting from subsection (6) the words “nine hundred” and substituting therefor the words “one thousand five hundred”.

Compensation in the case of incapacity of employes.

8 Section thirty-five of the Principal Act is amended in subsection (1)—

Compensation in case of death of eligible employee.

- (a) by omitting the words "seven hundred and fifty", twice occurring, and substituting therefor the words "one thousand two hundred and fifty"; and
- (b) by omitting the words "nine hundred" and substituting therefor the words "one thousand five hundred".

9 After section thirty-five G of the Principal Act the following section is inserted in Part III.:—

"35H. The Board, by a unanimous decision of all its members, may, at its sole discretion in cases of hardship, pay compensation to any employee, notwithstanding that none is payable under subsection (1) of section thirty-five D, if that employee obtains a certificate under subsection (2) of that section."

Cases of hardship.

10 The Principal Act is also amended as set out in the schedule.

Minor amendments.

THE SCHEDULE.

Section.	How Affected.
16	1. In subsection (1) after the word "examination" the words "(to be called an 'initial medical examination')"
	2. Subsection (2) is omitted.
16B	The subsection omitted from section 16 is inserted next before section 17 as section 16B.
22	In subsection (3)— (a) before the word "medical" the word "initial" is inserted; and (b) paragraph II. is omitted and the following paragraph is substituted therefor:— "II. At their initial medical examination have been certified to be free from disease."
27	In paragraph IV. of subsection (1) after the word "sixteen" the words "or section sixteen A" are inserted.