

New South Wales.



ANNO UNDECIMO

GEORGI V REGIS.

Act No. 45, 1920.

An Act to amend and extend the Workmen's Compensation Act, 1916; and for other purposes.
[Assented to, 31st December, 1920.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Workmen's Compensation (Amendment) Act, 1920," and shall be construed with the Workmen's Compensation Act, 1916, hereinafter called the Principal Act.

Short title
and construction.

2.

Workmen's Compensation (Amendment).

Amendment
of Principal
Act, s. 4.

2. Section four of the Principal Act is amended by omitting the definition of "workman" therein and substituting therefor the following :—

"Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing, but does not include—

- (a) any person employed whose remuneration exceeds five hundred and twenty-five pounds per year; or
- (b) an outworker; or
- (c) a member of the police force; or
- (d) a person whose employment is casual and who is employed otherwise than for the purposes of the employer's trade or business; or
- (e) a member of the employer's family, dwelling in his house.

Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

Amendment
of *ibid.*,
Schedule
One (1) (b).

3. Paragraph one (b) of Schedule One is amended—

- (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
- (b) by omitting the words "two pounds" and substituting therefor the words "three pounds."

Amendment
of *ibid.*,
Schedule
One (2).

4. Paragraph two of Schedule One is amended by the omission of the words "or the casual nature of the employment" in sub-paragraph (a) and by adding at the end of the paragraph the following new sub-paragraph :—

- (e) The average weekly earnings of casual workmen shall be deemed to be not less than the weekly

Workmen's Compensation (Amendment).

weekly living wages declared by the New South Wales Board of Trade to be payable in the State or the area thereof in which the injury by accident occurs, and the compensation shall be computed and assessed accordingly :

Provided that until a separate declaration is made by the Board of Trade as to the living wages to be paid to persons engaged in rural occupations, the living wages for other adult males or females for the time being in force in the area in which the injury by accident occurs shall for the purpose of the computation and assessment of compensation be deemed to be the living wages paid to workmen engaged in such occupations. Should a beneficiary under this Act leave New South Wales he shall not forfeit his rights.

- 5.** The proviso to paragraph sixteen of Schedule One is amended as shown hereunder—
- (a) by omitting the words “fifty per cent.” and substituting therefor the words “sixty-six and two-thirds per cent.”;
- (b) by omitting the words “two pounds” and substituting therefor the words “three pounds.”
- 6.** Paragraph two of Schedule Two is amended by adding the following words at the end of the paragraph:—“or by a stipendiary or a police magistrate authorised by the Attorney-General to exercise the powers of a judge of the said court under the provisions of the Principal Act.”

Amendment
of Principal
Act, Schedule
One (16).

Amendment
of *ibid.*,
Schedule
Two (2).

Workmen's Compensation (Amendment).

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By Authority :

WILLIAM APPLIGATE GULLICK, Government Printer, Sydney, 1921.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 24 December, 1920, A.M.*

New South Wales.



ANNO UNDECIMO

GEORGI V REGIS.

Act No. 45, 1920.

An Act to amend and extend the Workmen's Compensation Act, 1916; and for other purposes.
[Assented to, 31st December, 1920.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Workmen's Compensation (Amendment) Act, 1920," and shall be construed with the Workmen's Compensation Act, 1916, hereinafter called the Principal Act. Short title and construction.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. J. STUART-ROBERTSON,
Chairman of Committees of the Legislative Assembly.

Workmen's Compensation (Amendment).

Amendment
of Principal
Act, s. 4.

2. Section four of the Principal Act is amended by omitting the definition of "workman" therein and substituting therefor the following:—

"Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing, but does not include—

- (a) any person employed whose remuneration exceeds five hundred and twenty-five pounds per year; or
- (b) an outworker; or
- (c) a member of the police force; or
- (d) a person whose employment is casual and who is employed otherwise than for the purposes of the employer's trade or business; or
- (e) a member of the employer's family, dwelling in his house.

Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

Amendment
of *ibid.*,
Schedule
One (1) (b).

3. Paragraph one (b) of Schedule One is amended—

- (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
- (b) by omitting the words "two pounds" and substituting therefor the words "three pounds."

Amendment
of Principal
Act, Schedule
One (2).

4. Paragraph two of Schedule One is amended by the omission of the words "or the casual nature of the employment" in sub-paragraph (a) and by adding at the end of the paragraph the following new sub-paragraph:—

- (e) The average weekly earnings of casual workmen shall be deemed to be not less than the weekly

Workmen's Compensation (Amendment).

weekly living wages declared by the New South Wales Board of Trade to be payable in the State or the area thereof in which the injury by accident occurs, and the compensation shall be computed and assessed accordingly.

Provided that until a separate declaration is made by the Board of Trade as to the living wages to be paid to persons engaged in rural occupations, the living wages for other adult males or females for the time being in force in the area in which the injury by accident occurs shall for the purpose of the computation and assessment of compensation be deemed to be the living wages paid to workmen engaged in such occupations. Should a beneficiary under this Act leave New South Wales he shall not forfeit his rights.

5. The proviso to paragraph sixteen of Schedule One is amended as shown hereunder—

- (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
- (b) by omitting the words "two pounds" and substituting therefor the words "three pounds."

Amendment
of *ibid.*,
Schedule
One (16).

6. Paragraph two of Schedule Two is amended by adding the following words at the end of the paragraph:—"or by a stipendiary or a police magistrate authorised by the Attorney-General to exercise the powers of a judge of the said court under the provisions of the Principal Act."

Amendment
of *ibid.*,
Schedule
Two (2).

In the name and on behalf of His Majesty I assent to this Act.

Government House,
Sydney, 31st December, 1920.

W. E. DAVIDSON,
Governor.

...the ... of the ...

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W. B. LATHROP

WORKMEN'S COMPENSATION (AMENDMENT) BILL.

SCHEDULE of Amendments referred to in Message of 23rd December, 1920.

- Page 2, clause 2, lines 11 and 12. *Omit* "otherwise than by way of manual labour"
- Page 2, clause 3, subclause (1). *Omit* subclause (1).
- Page 2, clause 3, subclause (2) (b), line 38. *Omit* "four" insert "**three**"
- Page 2, clause 3, subclause (2). *Omit* paragraph (c).
- Page 3, clause 5, paragraph (b), line 31. *Omit* "four" insert "**three**"
-

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 December, 1920.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 23rd December, 1920.

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. , 1920.

An Act to amend and extend the Workmen's Compensation Act, 1916; and for other purposes.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Workmen's Compensation (Amendment) Act, 1920," and shall be construed with the Workmen's Compensation Act, 1916, hereinafter called the Principal Act.

Short title and construction.

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2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Workmen's Compensation (Amendment).

2. Section four of the Principal Act is amended by omitting the definition of "workman" therein and substituting therefor the following:—

Amendment
of Principal
Act, s. 4.

5 "Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing, but does not include—

- 10 (a) any person employed ~~otherwise than by way of manual labour~~ whose remuneration exceeds five hundred and twenty-five pounds per year; or
- 15 (b) an outworker; or
- (c) a member of the police force; or
- (d) a person whose employment is casual and who is employed otherwise than for the purposes of the employer's trade or
- 20 business; or
- (e) a member of the employer's family, dwelling in his house.

25 Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

3. (1) Paragraph one (a) of Schedule One is amended by omitting the words "five hundred" and substituting therefor the words "seven hundred and fifty."

Amendment
of *ibid.*
Schedule
One (1) (a).

(2) Paragraph one (b) of Schedule One is amended—

- 35 (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
- (b) by omitting the words "two pounds" and substituting therefor the words "~~four~~ three pounds."
- 40 (c) by omitting the words "and the total liability in respect thereof shall not exceed seven hundred and fifty pounds."

4.

Workmen's Compensation (Amendment).

4. Paragraph two of Schedule One is amended by the omission of the words "or the casual nature of the employment" in sub-paragraph (a) and by adding at the end of the paragraph the following new sub-
5 paragraph:—

Amendment
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Act, Schedule
One (2).

(e) The average weekly earnings of casual workmen shall be deemed to be not less than the weekly living wages declared by the New South Wales Board of Trade to be payable in the State or the area thereof in which the injury by accident occurs, and the compensation shall be computed and assessed accordingly.

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5. The proviso to paragraph sixteen of Schedule One is amended as shown hereunder—

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- (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
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6. Paragraph two of Schedule Two is amended by adding the following words at the end of the paragraph:—"or by a stipendiary or a police magistrate authorised by the Attorney-General to exercise the powers of a judge of the said court under the provisions of the Principal Act."

Amendment
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Schedule
Two (2).

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Workmen's Compensation (Amendment) Bill

WORKMEN'S COMPENSATION (AMENDMENT) BILL.

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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 2 December, 1920.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 23rd December, 1920.*

New South Wales.



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