

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 28, 1953.

An Act to extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith. [Assented to, 11th December, 1953.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".

Short title, citation and commencement.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

(3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

Amendment
of Act No. 14,
1942.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended—

Sec. 6.
(Constitu-
tion of
Fund.)

(a) by inserting in subsection two of section six after the words "defined by this Act" the words "or payable under subsection (1A) of section eight of this Act";

Sec. 8.
(Certificate of
medical
authority and
awards.)

(b) (i) by inserting next after subsection one of section eight the following new subsection:—

(1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the Fund.

(ii)

Workers' Compensation (Silicosis) Amendment.

- (ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—
- (ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—the compensation payments prescribed by section eight of the Principal Act;
 - (ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.
- (c) by inserting next after section eight the following new section:—

8A. Where a person and his spouse (if any) or a person or his spouse (if any) would, but for the weekly payments of compensation payable to such person under any award made before or after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, by the committee under this Act or any amendment thereof or under any award mentioned in paragraph (b) of subsection two of section eight of this Act, be qualified to receive an age, invalid or widow's pension under the Social Services Consolidation Act, 1947-1953, of the Parliament

Power to vary awards for certain purposes.

of

Workers' Compensation (Silicosis) Amendment.

of the Commonwealth of Australia, the committee may, in order that such person and his spouse (if any) or such person or his spouse (if any) may become so qualified, make an order directing that the weekly payments of compensation payable to such person under that award shall be such amount, less than that prescribed under this Act or any amendment thereof, as the committee may specify in the order. While such order remains in force the compensation payable from the Fund to such person under the award shall, notwithstanding anything elsewhere contained in this Act or any amendment thereof, be the amount specified in the order.

By Authority:

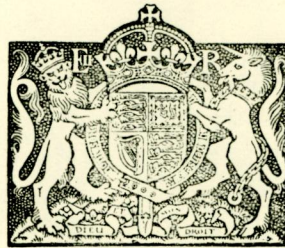
A. H. PETTIFER, Government Printer, Sydney, 1953.

[47.]

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.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 December, 1953.

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 28, 1953.

An Act to extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith [Assented to, 11th December, 1953.]

BE it enacted by the Queen'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.** (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".
- (2)
- Short title, citation and commencement.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

(3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

Amendment
of Act No. 14,
1942.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended—

Sec. 6.
(Constitu-
tion of
Fund.)

(a) by inserting in subsection two of section six after the words "defined by this Act" the words "or payable under subsection (1A) of section eight of this Act";

Sec. 8.
(Certificate of
medical
authority and
awards.)

(b) (i) by inserting next after subsection one of section eight the following new subsection:—

(1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the Fund.

(ii)

Workers' Compensation (Silicosis) Amendment.

(ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—

(ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—the compensation payments prescribed by section eight of the Principal Act;

(ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.

(c) by inserting next after section eight the following new section:—

8A. Where a person and his spouse (if any) or a person or his spouse (if any) would, but for the weekly payments of compensation payable to such person under any award made before or after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, by the committee under this Act or any amendment thereof or under any award mentioned in paragraph (b) of subsection two of section eight of this Act, be qualified to receive an age, invalid or widow's pension under the Social Services Consolidation Act, 1947-1953, of the Parliament of

Power to vary awards for certain purposes.

Workers' Compensation (Silicosis) Amendment.

of the Commonwealth of Australia, the committee may, in order that such person and his spouse (if any) or such person or his spouse (if any) may become so qualified, make an order directing that the weekly payments of compensation payable to such person under that award shall be such amount, less than that prescribed under this Act or any amendment thereof, as the committee may specify in the order. While such order remains in force the compensation payable from the Fund to such person under the award shall, notwithstanding anything elsewhere contained in this Act or any amendment thereof, be the amount specified in the order.

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

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 11th December, 1953.*

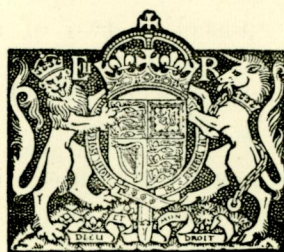
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 12 November, 1953.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

W. K. CHARLTON,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 30th November, 1953.

New South Wales.



ANNO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. , 1953.

An Act to extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith.

BE it enacted by the Queen'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
5 the same, as follows:—

1. (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".

56609 81—

(2)

Short title,
citation and
commence-
ment.

NOTE.—The words to be *inserted* are printed in **black letter**.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

5 (3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended— Amendment of Act No. 14, 1942.

10 (a) by inserting in subsection two of section six after the words "defined by this Act" the words "or payable under subsection (1A) of section eight of this Act"; Sec. 6. (Constitution of Fund.)

15 (b) (i) by inserting next after subsection one of section eight the following new subsection:— Sec. 8. (Certificate of medical authority and awards.)

20 (1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the Fund.

(ii)

Workers' Compensation (Silicosis) Amendment.

(ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—

5

(ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—the compensation payments prescribed by section eight of the Principal Act;

10

15

20

25

(ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.

(c) by inserting next after section eight the following new section:—

30

35

40

8A. Where a person and his spouse (if any) or a person or his spouse (if any) would, but for the weekly payments of compensation payable to such person under any award made before or after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, by the committee under this Act or any amendment thereof or under any award mentioned in paragraph (b) of subsection two of section eight of this Act, be qualified to receive an age, invalid or widow's pension under the Social Services Consolidation Act, 1947-1953, of the Parliament of

Power to vary awards for certain purposes.

Workers' Compensation (Silicosis) Amendment.

5 of the Commonwealth of Australia, the committee
may, in order that such person and his spouse
(if any) or such person or his spouse (if any)
may become so qualified, make an order directing
10 that the weekly payments of compensation
payable to such person under that award shall
be such amount, less than that prescribed under
this Act or any amendment thereof, as the
committee may specify in the order. While such
order remains in force the compensation payable
from the Fund to such person under the award
shall, notwithstanding anything elsewhere con-
tained in this Act or any amendment thereof,
be the amount specified in the order.

[6d.]

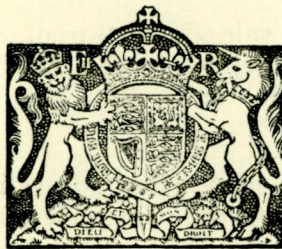
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 12 November, 1953.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, November, 1953.

New South Wales.



ANNO SECUNDO

ELIZABETHIÆ II REGINÆ

Act No. , 1953.

An Act to extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith.

BE it enacted by the Queen'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. (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".

Short title,
citation and
commence-
ment.

56609

81—

(2)

NOTE.—The words to be *inserted* are printed in black letter.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

5 (3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended— Amendment of Act No. 14, 1942.

10 (a) by inserting in subsection two of section six after the words "defined by this Act" the words Sec. 6. (Constitution of Fund.) "or payable under subsection (1A) of section eight of this Act";

15 (b) (i) by inserting next after subsection one of section eight the following new subsection:— Sec. 8. (Certificate of medical authority and awards.)

20 (1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease
25 died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure
30 to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the
35 Fund.

(ii)

Workers' Compensation (Silicosis) Amendment.

(ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—

5 (ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—
10 the compensation payments prescribed by section eight of the Principal Act;

15 (ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.

(c) by inserting next after section eight the following new section:—

30 8A. Where a person and his spouse (if any) or a person or his spouse (if any) would, but for the weekly payments of compensation payable to such person under any award made before or after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, by
35 the committee under this Act or any amendment thereof or under any award mentioned in paragraph (b) of subsection two of section eight of this Act, be qualified to receive an age, invalid or widow's pension under the Social Services Consolidation Act 1947-1953 of the Parliament of
40 the

Power to vary awards for certain purposes.

Workers' Compensation (Silicosis) Amendment.

5 the Commonwealth of Australia, the committee
may, in order that such person and his spouse
(if any) or such person or his spouse (if any)
may become so qualified, make an order direct-
ing that the weekly payments of compensation
payable to such person under that award shall
be such amount, less than that prescribed under
10 this Act or any amendment thereof, as the
committee may specify in the order. While such
order remains in force the compensation payable
from the Fund to such person under the award
shall, notwithstanding anything elsewhere con-
tained in this Act or any amendment thereof,
be the amount specified in the order.

No. , 1953.

A BILL

To extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith.

[MR. LANDA;—5 November, 1953.]

BE it enacted by the Queen'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
5 the same, as follows:—

1. (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".

Short title,
citation and
commence-
ment.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

5 (3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended— Amendment of Act No. 14, 1942.

10 (a) by inserting in subsection two of section six after the words "defined by this Act" the words "or payable under subsection (1A) of section eight of this Act"; Sec. 6. (Constitution of Fund.)

15 (b) (i) by inserting next after subsection one of section eight the following new subsection:— Sec. 8. (Certificate of medical authority and awards.)

(1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the Fund.

(ii)

Workers' Compensation (Silicosis) Amendment.

(ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—

5

(ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—the compensation payments prescribed by section eight of the Principal Act;

10

15

(ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.

20

25

Worcester, Massachusetts

(ii) by the ...

...

6

...

9

...

12

...

20

...

23

...

WORKERS' COMPENSATION (SILICOSIS) AMENDMENT BILL, 1953.

EXPLANATORY NOTE.

THE object of this Bill is to enable compensation payments to be made to the dependants of a worker who—

- (a) died or dies after 1st January, 1952; and
- (b) immediately before his death was receiving or was entitled to receive compensation payments under the Workers' Compensation (Silicosis) Act, 1942, in respect of his disablement for work from the disease as defined in that Act,

although his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due.

1872

THE

THE

THE

THE

No. , 1953.

A BILL

To extend in certain respects the provisions of the Workers' Compensation (Silicosis) Act, 1942-1946; for that purpose to amend that Act; and for purposes connected therewith.

[MR. LANDA;—5 November, 1953.]

BE it enacted by the Queen'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
5 the same, as follows:—

1. (1) This Act may be cited as the "Workers' Compensation (Silicosis) Amendment Act, 1953".

Short title,
citation and
commence-
ment.

Workers' Compensation (Silicosis) Amendment.

(2) The Workers' Compensation (Silicosis) Act, 1942, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation (Silicosis) Act, 1942-1953.

5 (3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-two.

2. The Workers' Compensation (Silicosis) Act, 1942-1946, is amended— Amendment of Act No. 14, 1942.

10 (a) by inserting in subsection two of section six after the words "defined by this Act" the words "or payable under subsection (1A) of section eight of this Act"; Sec. 6. (Constitution of Fund.)

15 (b) (i) by inserting next after subsection one of section eight the following new subsection:— Sec. 8. (Certificate of medical authority and awards.)

20 (1A) Where a worker who immediately before his death was receiving, or was entitled under an award of the committee to receive, or was entitled under a certificate issued pursuant to paragraph (a) of subsection one of this section to an award from the committee and to receive, compensation at the prescribed rates from the Fund in respect of his disablement from the disease died or dies after the commencement of the Workers' Compensation (Silicosis) Amendment Act, 1953, and the medical authority has certified or certifies that his death was not reasonably attributable to his exposure to the inhalation of silica dust in New South Wales in an employment to the nature of which the disease was due, the dependants of the worker shall be entitled to an award from the committee, and to receive compensation at the prescribed rates from the Fund.

35

(ii)

Workers' Compensation (Silicosis) Amendment.

(ii) by inserting next after paragraph (i) of subsection two of the same section the following new paragraphs:—

5

(ia) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was total—the compensation payments prescribed by section eight of the Principal Act;

10

15

(ib) where an award is made by the committee under subsection (1A) of this section and the disablement for work from the disease was partial—such percentage of the compensation payments that would have been payable under paragraph (ia) had the disablement been total as is equal to the percentage of the worker's disablement for work from the disease as certified by the medical authority at the last examination of the worker made by the medical authority before the worker's death.

20

25

Workers' Compensation Act

(ii) In the event of a total disability...

...the amount of the benefit shall be...

...the benefit shall be payable for...

...the benefit shall be payable for...

...the benefit shall be payable for...