

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.

R. E. WARD,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 1 December, 1977.

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Workers' Compensation (Dust Diseases) Act, 1942, so as to increase workers' compensation payable under that Act and to provide for the indexation of certain weekly payments of compensation under that Act.

BE

Workers' Compensation (Dust Diseases) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942—*continued.*

- (3) Section 8 (2B) (b) (iii)—
5 Omit "\$11", insert instead "\$14".
- (4) Section 8 (3), (3A)—
 After "9" wherever occurring, insert ", 9A".
- (5) Section 8 (3)—
 At the end of the subsection, insert :—
10 For the purposes of the application of section 9A
 of the Principal Act in accordance with the foregoing
 provisions of this subsection—
- (a) a reference in that section to an adjustable
15 amount includes a reference to each of the
 amounts of \$46.50 and \$14 referred to in
 subsection (2B) (b) (ii) or (iii); and
- (b) subsection (3) of that section shall be read
20 and construed as requiring the references in
 this section to those amounts to be read and
 construed in accordance with that subsection
 as applied by this subsection.
-

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

1. Where, at the date of assent to this Act, a worker is disabled,
25 his weekly entitlement shall on and from that date and until he first
ceases to be disabled after that date, be—

- (a) notwithstanding any other provision of this Act, his weekly
entitlement immediately before that date; or

SCHEDULE

Workers' Compensation (Dust Diseases) Amendment.

SCHEDULE 2—*continued.*TRANSITIONAL AND SAVINGS PROVISIONS—*continued.*

- (b) his weekly entitlement under the Workers' Compensation (Dust Diseases) Act, 1942, after that date,
- 5 whichever is the greater.
2. The weekly payments prescribed by the Workers' Compensation (Dust Diseases) Act, 1942, by reference to the Principal Act, as amended by the Workers' Compensation (Rates) Amendment Act, 1977, are payable, on and from the date of assent to this Act, in
10 respect of all persons who immediately before that date were in receipt of or entitled to weekly payments under the provisions of the Workers' Compensation (Dust Diseases) Act, 1942, which prescribe weekly payments by reference to the Principal Act, as well as to all
15 persons becoming entitled to weekly payments under any of those provisions on or after that date.
3. The weekly payments prescribed by section 8 (2B) of the Workers' Compensation (Dust Diseases) Act, 1942, as amended by this Act, are payable, on and from the date of assent to this Act, in
20 respect of all persons who, immediately before that date, were in receipt of or entitled to weekly payments under the Workers' Compensation (Dust Diseases) Act, 1942, in respect of the death of any person, as well as to all persons becoming entitled to weekly payments under that Act, as so amended, on or after that date.
4. The compensation prescribed by section 8 (2B) (b) (i) of the
25 Workers' Compensation (Dust Diseases) Act, 1942, as amended by this Act, shall be payable in accordance with section 8 (2B) (b) (i) of that Act, as so amended, in respect of the death of a person on or after the date of assent to this Act, whether or not anything on which
30 entitlement to compensation under section 8 (2B) (b) (i) of that Act depends happened, or was done or suffered, before that date.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[8c]

Act No. 1977

**WORKERS' COMPENSATION (DUST DISEASES)
AMENDMENT BILL, 1977**

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. This Act may be cited as the Workers' Compensation (Dust Diseases) Amendment Act, 1977.

2. This Act contains the following Schedules:—

SCHEDULE 1—AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

SCHEDULE 2—TRANSITIONAL AND SAVINGS PROVISIONS.

3. The Workers' Compensation (Dust Diseases) Act, 1942, is amended in the manner set forth in Schedule 1.

A BILL FOR

An Act to amend the Workers' Compensation (Dust Diseases) Act, 1942, so as to increase workers' compensation payable under that Act and to provide for the indexation of certain weekly payments of compensation under that Act.

[MR F. J. WALKER—30 November, 1977.]

BE

Workers' Compensation (Dust Diseases) Amendment.

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 :—

5 **1.** This Act may be cited as the "Workers' Compensation (Dust Diseases) Amendment Act, 1977". Short title.

2. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

10 **SCHEDULE 2.—TRANSITIONAL AND SAVINGS PROVISIONS.**

3. The Workers' Compensation (Dust Diseases) Act, 1942, is amended in the manner set forth in Schedule 1. Amendment of Act No. 14, 1942.

4. Schedule 2 has effect. Transitional and savings provisions.

15 **SCHEDULE 1.** Sec. 3.

AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

(1) Section 8 (2B) (b) (i)—

 Omit "\$8,250", insert instead "\$10,300".

20 (2) Section 8 (2B) (b) (ii)—

 Omit "\$37.50", insert instead "\$46.50".

SCHEDULE

*Workers' Compensation (Dust Diseases) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942—*continued.*

(3) Section 8 (2B) (b) (iii)—

5 Omit "\$11", insert instead "\$14".

(4) Section 8 (3), (3A)—

After "9" wherever occurring, insert ", 9A".

(5) Section 8 (3)—

At the end of the subsection, insert :—

10 For the purposes of the application of section 9A of the Principal Act in accordance with the foregoing provisions of this subsection—

15 (a) a reference in that section to an adjustable amount includes a reference to each of the amounts of \$46.50 and \$14 referred to in subsection (2B) (b) (ii) or (iii); and

20 (b) subsection (3) of that section shall be read and construed as requiring the references in this section to those amounts to be read and construed in accordance with that subsection as applied by this subsection.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

25 1. Where, at the date of assent to this Act, a worker is disabled, his weekly entitlement shall on and from that date and until he first ceases to be disabled after that date, be—

(a) notwithstanding any other provision of this Act, his weekly entitlement immediately before that date; or

SCHEDULE

Workers' Compensation (Dust Diseases) Amendment.

SCHEDULE 2—*continued.*

TRANSITIONAL AND SAVINGS PROVISIONS—*continued.*

- (b) his weekly entitlement under the Workers' Compensation (Dust Diseases) Act, 1942, after that date,
- 5 whichever is the greater.
2. The weekly payments prescribed by the Workers' Compensation (Dust Diseases) Act, 1942, by reference to the Principal Act, as amended by the Workers' Compensation (Rates) Amendment Act, 1977, are payable, on and from the date of assent to this Act, in
10 respect of all persons who immediately before that date were in receipt of or entitled to weekly payments under the provisions of the Workers' Compensation (Dust Diseases) Act, 1942, which prescribe weekly payments by reference to the Principal Act, as well as to all
15 persons becoming entitled to weekly payments under any of those provisions on or after that date.
3. The weekly payments prescribed by section 8 (2B) of the Workers' Compensation (Dust Diseases) Act, 1942, as amended by
20 this Act, are payable, on and from the date of assent to this Act, in respect of all persons who, immediately before that date, were in receipt of or entitled to weekly payments under the Workers' Compensation (Dust Diseases) Act, 1942, in respect of the death of any
25 person, as well as to all persons becoming entitled to weekly payments under that Act, as so amended, on or after that date.
4. The compensation prescribed by section 8 (2B) (b) (i) of the
25 Workers' Compensation (Dust Diseases) Act, 1942, as amended by this Act, shall be payable in accordance with section 8 (2B) (b) (i) of that Act, as so amended, in respect of the death of a person on or
30 after the date of assent to this Act, whether or not anything on which entitlement to compensation under section 8 (2B) (b) (i) of that Act depends happened, or was done or suffered, before that date.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

**WORKERS' COMPENSATION (DUST DISEASES) AMENDMENT
BILL, 1977**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Workers' Compensation (Rates) Amendment Bill, 1977.

The objects of this Bill are—

- (a) to increase the weekly rates of compensation prescribed by the Workers' Compensation (Dust Diseases) Act, 1942 (hereinafter referred to as the 1942 Act) by reference to the Workers' Compensation Act, 1926, commensurately with the increases under the lastmentioned Act;
 - (b) to increase the weekly rates of compensation and the lump sum compensation payable under the 1942 Act to the widow and the weekly rate of compensation payable under that Act to the children of a deceased worker;
 - (c) to provide for the automatic indexation, by reference to average weekly earnings, of the weekly payments referred to in paragraph (b) as well as those referred to in paragraph (a); and
 - (d) to make other amendments of a consequential or ancillary nature.
-

- (a) ...
- (b) ...
- (c) ...
- (d) ...
- (e) ...
- (f) ...
- (g) ...
- (h) ...
- (i) ...
- (j) ...

...

...

...

...

...

...

**WORKERS' COMPENSATION (DUST DISEASES)
AMENDMENT BILL, 1977**

It is 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:—

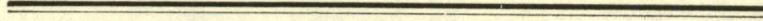
1. This Act may be cited as the "Workers' Compensation (Dust Diseases) Amendment Act, 1977".

2. This Act contains the following Schedules:—

SCHEDULE 1—AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

SCHEDULE 2—TRANSITIONAL AND SAVING PROVISIONS.

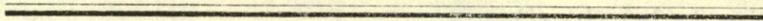
3. The Workers' Compensation (Dust Diseases) Act, 1942 is amended in the manner set forth in Schedule 1.



A BILL FOR

An Act to amend the Workers' Compensation (Dust Diseases) Act, 1942, so as to increase workers' compensation payable under that Act and to provide for the indexation of certain weekly payments of compensation under that Act.

[Mr F. J. WALKER—30 November, 1977.]



BE

Workers' Compensation (Dust Diseases) Amendment.

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 :—

5 **1.** This Act may be cited as the "Workers' Compensation (Dust Diseases) Amendment Act, 1977". Short title.

2. This Act contains the following Schedules :— Schedules.

SCHEDULE 1.—AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

10 **SCHEDULE 2.—TRANSITIONAL AND SAVINGS PROVISIONS.**

3. The Workers' Compensation (Dust Diseases) Act, 1942, is amended in the manner set forth in Schedule 1. Amendment of Act No. 14, 1942.

4. Schedule 2 has effect. Transitional and savings provisions.

15 **SCHEDULE 1.** Sec. 3.

AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942.

(1) Section 8 (2B) (b) (i)—
 Omit "\$8,250", insert instead "\$10,300".

20 (2) Section 8 (2B) (b) (ii)—
 Omit "\$37.50", insert instead "\$46.50".

SCHEDULE

Workers' Compensation (Dust Diseases) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WORKERS' COMPENSATION (DUST DISEASES) ACT, 1942—*continued.*

- (3) Section 8 (2B) (b) (iii)—
5 Omit "\$11", insert instead "\$14".
- (4) Section 8 (3), (3A)—
After "9" wherever occurring, insert ", 9A".
- (5) Section 8 (3)—
At the end of the subsection, insert :—
10 For the purposes of the application of section 9A
of the Principal Act in accordance with the foregoing
provisions of this subsection—
- (a) a reference in that section to an adjustable
15 amount includes a reference to each of the
amounts of \$46.50 and \$14 referred to in
subsection (2B) (b) (ii) or (iii); and
- (b) subsection (3) of that section shall be read
and construed as requiring the references in
20 this section to those amounts to be read and
construed in accordance with that subsec-
tion as applied by this subsection.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

1. Where, at the date of assent to this Act, a worker is disabled,
25 his weekly entitlement shall on and from that date and until he first
ceases to be disabled after that date, be—

- (a) notwithstanding any other provision of this Act, his weekly
entitlement immediately before that date; or

SCHEDULE

Workers' Compensation (Dust Diseases) Amendment.

SCHEDULE 2—*continued.*

TRANSITIONAL AND SAVINGS PROVISIONS—*continued.*

- (b) his weekly entitlement under the Workers' Compensation (Dust Diseases) Act, 1942, after that date,
- 5 whichever is the greater.
2. The weekly payments prescribed by the Workers' Compensation (Dust Diseases) Act, 1942, by reference to the Principal Act, as amended by the Workers' Compensation (Rates) Amendment Act, 1977, are payable, on and from the date of assent to this Act, in
10 respect of all persons who immediately before that date were in receipt of or entitled to weekly payments under the provisions of the Workers' Compensation (Dust Diseases) Act, 1942, which prescribe weekly payments by reference to the Principal Act, as well as to all persons becoming entitled to weekly payments under any of those
15 provisions on or after that date.
3. The weekly payments prescribed by section 8 (2B) of the Workers' Compensation (Dust Diseases) Act, 1942, as amended by this Act, are payable, on and from the date of assent to this Act, in
20 respect of all persons who, immediately before that date, were in receipt of or entitled to weekly payments under the Workers' Compensation (Dust Diseases) Act, 1942, in respect of the death of any person, as well as to all persons becoming entitled to weekly payments under that Act, as so amended, on or after that date.
4. The compensation prescribed by section 8 (2B) (b) (i) of the
25 Workers' Compensation (Dust Diseases) Act, 1942, as amended by this Act, shall be payable in accordance with section 8 (2B) (b) (i) of that Act, as so amended, in respect of the death of a person on or after the date of assent to this Act, whether or not anything on which
30 entitlement to compensation under section 8 (2B) (b) (i) of that Act depends happened, or was done or suffered, before that date.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977