

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 Workmen's Compensation (Broken Hill) Act, 1920, so as to increase rates of compensation payable under that Act in respect of workmen and to provide for the indexation of certain weekly payments of compensation under that Act.

BE

Workmen's Compensation (Broken Hill) 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 "Workmen's Short title. Compensation (Broken Hill) Amendment Act, 1977".

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

10 SCHEDULE 1.—AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S COMPENSATION (BROKEN HILL) ACT, 1920.

SCHEDULE 2.—TRANSITIONAL AND SAVINGS PROVISIONS.

3. The Workmen's Compensation (Broken Hill) Act, 1920, is amended in the manner set forth in Schedule 1. Amendment of Act No. 36, 1920.

15 4. Schedule 2 has effect.

Transitional and savings provisions.

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920.

(1) Paragraph 5A—

5 After paragraph 5, insert :—

10 5A. (a) Notwithstanding any other provisions of
this scheme, in respect of any period of disablement
of a mine worker, being a period which together with
any other such periods (whether occurring before or
after the date of assent to the Workmen's Compensa-
tion (Broken Hill) Amendment Act, 1977) do not
total more than 26 weeks, compensation at a weekly
rate shall be payable in respect of the mine worker
at the same weekly rate as would have been payable
15 in respect of him under the Workers' Compensation
Act, 1926, if—

- (i) the mine worker were a worker as defined
in the Workers' Compensation Act, 1926;
- 20 (ii) the disablement in respect of which the
compensation is payable were an injury, as
so defined, that occurred when his
disablement commenced; and
- (iii) the compensation were payable for
25 incapacity for work resulting from such an
injury.

(b) For the purposes of subparagraph (a), all
of the provisions of the Workers' Compensation Act,
1926, that apply to or in respect of the determination
of the current weekly wage rate of a worker under
that Act apply to and in respect of the determination
30 of the weekly rate of compensation payable in respect
of a mine worker under that subparagraph.

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

5 (c) Where compensation is payable in respect
of a mine worker under subparagraph (a), no com-
pensation at a weekly rate shall be payable in respect
of the mine worker under any other provisions of this
scheme.

(2) (a) Paragraph 6 (1) (a)—

10 Omit "8.00" wherever occurring, insert instead
"9.50".

(b) Paragraph 6 (1) (b)—

Omit "8.00", insert instead "9.50".

(3) (a) Paragraph 6A (b) (i), (ii)—

15 Omit "44" wherever occurring, insert instead
"63".

(b) Paragraph 6A (b) (ii)—

Omit "1.50", insert instead "4.50".

(c) Paragraph 6A (b) (iii)—

20 Omit "17.50", insert instead "26.50".

(4) Paragraph 6C—

After paragraph 6B, insert :—

25 6C. Section 9A of the Workers' Compensation Act,
1926, applies to and in respect of any amount pay-
able under this scheme at a weekly rate, other than
an amount payable under paragraph 5A (a) of this
scheme, in the same way as it applies to and in
respect of an adjustable amount as defined in that

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

- 5 section, and as if a reference in this scheme to any such amount were required to be read and construed in accordance with subsection (3) of that section as applied by this paragraph.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

- 10 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
 - 15 (b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act, whichever is the greater.
- 20 2. The weekly payments prescribed by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as to all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

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

[8c]

Women's Compensation (Broken Hill) Amendment

SCHEDULE 1—continued

AMENDMENTS TO THE SCHEDULE TO THE WOMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—continued

section, and as if a reference in this scheme to any
such amount were required to be read and construed
in accordance with subsection (3) of that section as
applied by this paragraph.

Sec. 4.

SCHEDULE 2.

Transitional and Saving Provisions.

10. 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 payable under the Act, and

11. (a) the weekly amount under the Women's Compensation
Act, 1920 as amended by this Act.

12. The weekly payments provided by the Women's Compensation
Act (Broken Hill) Act, 1920 as amended by 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
compensation under the Women's Compensation (Broken Hill)
Act, 1920, as well as in all persons provided entitled to compensation
under that Act after that date.

BY AUTHORITY

THE GOVERNMENT PRINTER, 175 SOUTH WALK—1977

**WORKMEN'S COMPENSATION (BROKEN HILL)
AMENDMENT BILL, 1977**

No. , 1977.

A BILL FOR

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920, so as to increase rates of compensation payable under that Act in respect of workmen and to provide for the indexation of certain weekly payments of compensation under that Act.

[Mr F. J. WALKER—30 November, 1977.]

BE

Workmen's Compensation (Broken Hill) 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 "Workmen's Short title.
Compensation (Broken Hill) Amendment Act, 1977".

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

10 **SCHEDULE 1.—AMENDMENTS TO THE SCHEDULE TO
THE WORKMEN'S COMPENSATION (BROKEN HILL)
ACT, 1920.**

**SCHEDULE 2.—TRANSITIONAL AND SAVINGS PRO-
VISIONS.**

3. The Workmen's Compensation (Broken Hill) Act, Amend-
1920, is amended in the manner set forth in Schedule 1. ment of
Act No. 36,
1920.

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

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920.

(1) Paragraph 5A—

5 After paragraph 5, insert :—

10 5A. (a) Notwithstanding any other provisions of
this scheme, in respect of any period of disablement
of a mine worker, being a period which together with
any other such periods (whether occurring before or
after the date of assent to the Workmen's Compensation
(Broken Hill) Amendment Act, 1977) do not
total more than 26 weeks, compensation at a weekly
rate shall be payable in respect of the mine worker
at the same weekly rate as would have been payable
15 in respect of him under the Workers' Compensation
Act, 1926, if—

- (i) the mine worker were a worker as defined
in the Workers' Compensation Act, 1926;
- 20 (ii) the disablement in respect of which the
compensation is payable were an injury, as
so defined, that occurred when his
disablement commenced; and
- (iii) the compensation were payable for
25 incapacity for work resulting from such an
injury.

(b) For the purposes of subparagraph (a), all
of the provisions of the Workers' Compensation Act,
1926, that apply to or in respect of the determination
of the current weekly wage rate of a worker under
30 that Act apply to and in respect of the determination
of the weekly rate of compensation payable in respect
of a mine worker under that subparagraph.

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

- 5 (c) Where compensation is payable in respect
of a mine worker under subparagraph (a), no com-
pensation at a weekly rate shall be payable in respect
of the mine worker under any other provisions of this
scheme.
- (2) (a) Paragraph 6 (1) (a)—
10 Omit "8.00" wherever occurring, insert instead
"9.50".
- (b) Paragraph 6 (1) (b)—
Omit "8.00", insert instead "9.50".
- (3) (a) Paragraph 6A (b) (i), (ii)—
15 Omit "44" wherever occurring, insert instead
"63".
- (b) Paragraph 6A (b) (ii)—
Omit "1.50", insert instead "4.50".
- (c) Paragraph 6A (b) (iii)—
20 Omit "17.50", insert instead "26.50".
- (4) Paragraph 6C—
After paragraph 6B, insert :—
6C. Section 9A of the Workers' Compensation Act,
1926, applies to and in respect of any amount pay-
25 able under this scheme at a weekly rate, other than
an amount payable under paragraph 5A (a) of this
scheme, in the same way as it applies to and in
respect of an adjustable amount as defined in that

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

- 5 section, and as if a reference in this scheme to any such amount were required to be read and construed in accordance with subsection (3) of that section as applied by this paragraph.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

- 10 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
 - 15 (b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act, whichever is the greater.
- 20 2. The weekly payments prescribed by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as to all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

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

[8c]

Women's Compensation (Broken Hill) Amendment

SCHEDULE 1—continued

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S COMPENSATION (BROKEN HILL) ACT 1920—continued

section and as if a reference in this scheme to any such amount were referred to be read and construed in accordance with subsection (2) of that section as applied by this paragraph.

Sec. 4.

SCHEDULE 2

TRANSITIONAL AND SAVINGS PROVISIONS

10. Where at the date of assent to this Act a worker is disabled the weekly entitlement shall on and from that date and until he has ceased to be disabled at that date be—

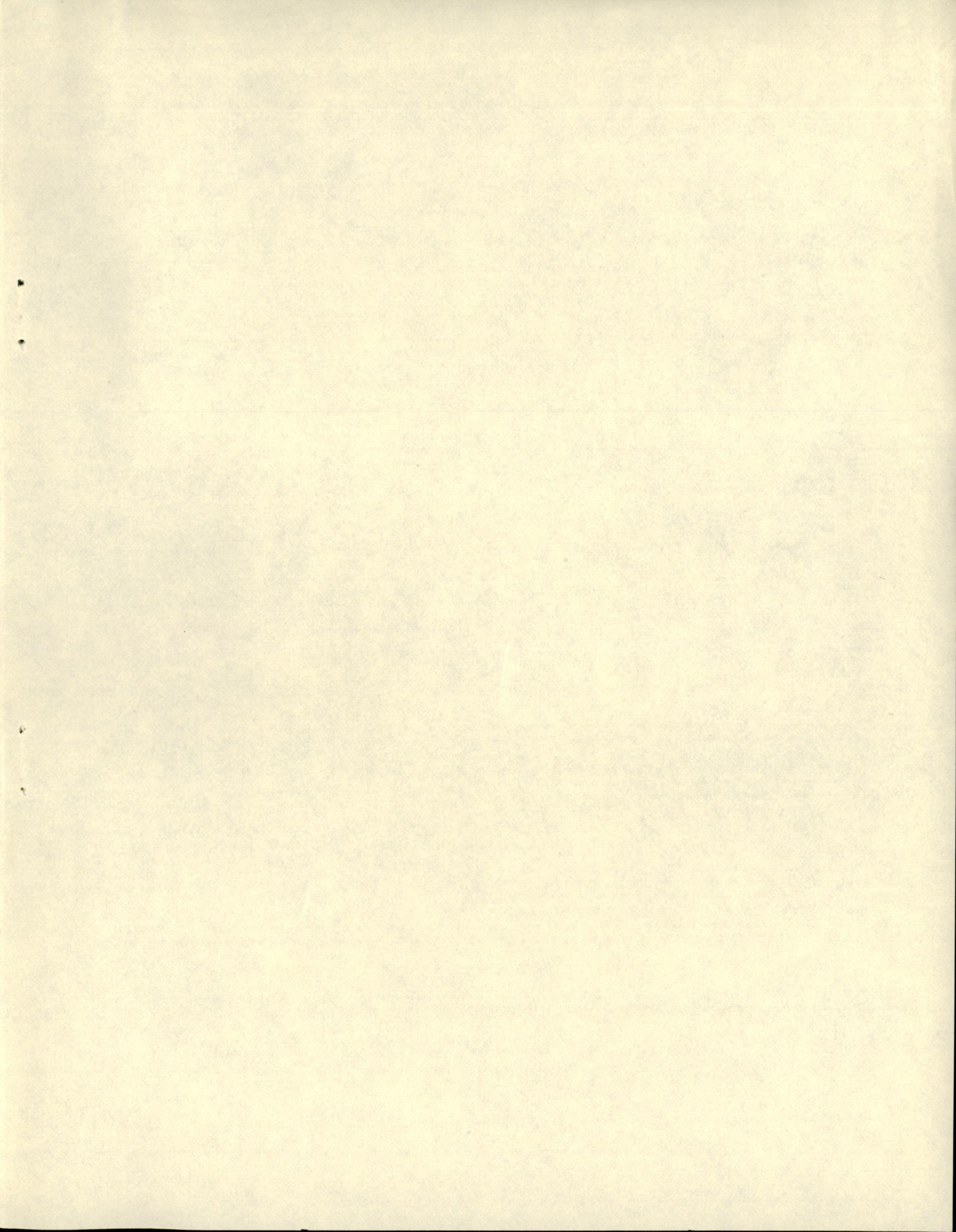
(a) until he ceases any other provision of the Act, his weekly entitlement as if he were not disabled; or

(b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act 1920 as amended by this Act, whichever is the greater.

11. The weekly payments provided for by the Workmen's Compensation (Broken Hill) Act 1920 as amended by this Act are payable on and from the date of death to his estate in respect of all persons who immediately before that date were in receipt of or entitled to compensation under the Workmen's Compensation (Broken Hill) Act 1920 as well as to all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

G. W. G. GIBSON, GOVERNMENT PRINTER, PERTH (1977)



PROOF

**WORKMEN'S COMPENSATION (BROKEN HILL)
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 provide that for the first six months of his disablement the weekly rate of compensation payable in respect of a mine worker shall be equivalent to the current weekly wage rate that would have been payable in respect of the mine worker if the entitlement to compensation had arisen under the Workers' Compensation Act, 1926;
 - (b) to provide for the automatic indexation, by reference to average weekly earnings, of weekly payments of compensation; and
 - (c) to make other provisions of a consequential or ancillary nature.
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1950

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DEPARTMENT OF CHEMISTRY

1950

PROOF

**WORKMEN'S COMPENSATION (BROKEN HILL)
AMENDMENT BILL, 1977**

THE Bill is introduced 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 said Assembly as follows:—

1. This Act may be cited as the Workmen's Compensation (Broken Hill) Amendment Act, 1977.

2. The Act contains the following Schedules:—

SCHEDULE 1—AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S COMPENSATION (BROKEN HILL) ACT, 1920.

No. , 1977.

A BILL FOR

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920, so as to increase rates of compensation payable under that Act in respect of workmen and to provide for the indexation of certain weekly payments of compensation under that Act.

[MR F. J. WALKER—30 November, 1977.]

BE

Workmen's Compensation (Broken Hill) 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 "Workmen's Short title.
Compensation (Broken Hill) Amendment Act, 1977".

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

10 **SCHEDULE 1.—AMENDMENTS TO THE SCHEDULE TO
THE WORKMEN'S COMPENSATION (BROKEN HILL)
ACT, 1920.**

**SCHEDULE 2.—TRANSITIONAL AND SAVINGS PRO-
VISIONS.**

3. The Workmen's Compensation (Broken Hill) Act, Amend-
1920, is amended in the manner set forth in Schedule 1. ment of
 Act No. 36,
 1920.

15 **4.** Schedule 2 has effect. Transi-
 tional and
 savings
 provisions.

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920.

(1) Paragraph 5A—

5 After paragraph 5, insert :—

5A. (a) Notwithstanding any other provisions of
this scheme, in respect of any period of disablement
of a mine worker, being a period which together with
any other such periods (whether occurring before or
10 after the date of assent to the Workmen's Compensa-
tion (Broken Hill) Amendment Act, 1977) do not
total more than 26 weeks, compensation at a weekly
rate shall be payable in respect of the mine worker
at the same weekly rate as would have been payable
15 in respect of him under the Workers' Compensation
Act, 1926, if—

- (i) the mine worker were a worker as defined
in the Workers' Compensation Act, 1926;
- 20 (ii) the disablement in respect of which the
compensation is payable were an injury, as
so defined, that occurred when his
disablement commenced; and
- (iii) the compensation were payable for
25 incapacity for work resulting from such an
injury.

(b) For the purposes of subparagraph (a), all
of the provisions of the Workers' Compensation Act,
1926, that apply to or in respect of the determination
of the current weekly wage rate of a worker under
that Act apply to and in respect of the determination
30 of the weekly rate of compensation payable in respect
of a mine worker under that subparagraph.

SCHEDULE

*Workmen's Compensation (Broken Hill) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

5 (c) Where compensation is payable in respect
of a mine worker under subparagraph (a), no com-
pensation at a weekly rate shall be payable in respect
of the mine worker under any other provisions of this
scheme.

10 (2) (a) Paragraph 6 (1) (a)—
Omit "8.00" wherever occurring, insert instead
"9.50".

(b) Paragraph 6 (1) (b)—
Omit "8.00", insert instead "9.50".

15 (3) (a) Paragraph 6A (b) (i), (ii)—
Omit "44" wherever occurring, insert instead
"63".

(b) Paragraph 6A (b) (ii)—
Omit "1.50", insert instead "4.50".

20 (c) Paragraph 6A (b) (iii)—
Omit "17.50", insert instead "26.50".

(4) Paragraph 6C—

After paragraph 6B, insert :—

25 6C. Section 9A of the Workers' Compensation Act,
1926, applies to and in respect of any amount pay-
able under this scheme at a weekly rate, other than
an amount payable under paragraph 5A (a) of this
scheme, in the same way as it applies to and in
respect of an adjustable amount as defined in that

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

- 5 section, and as if a reference in this scheme to any such amount were required to be read and construed in accordance with subsection (3) of that section as applied by this paragraph.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

- 10 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
- 15 (b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act, whichever is the greater.
- 20 2. The weekly payments prescribed by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as to all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

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

U. S. DEPARTMENT OF COMMERCE
BUREAU OF LABOR RELATIONS

- under the Act that the Act
- Act 1930 as well as to all persons receiving benefits from contributions
- contributions under the Workmen's Compensation (Workmen's) Act
- the provisions of the Act shall be in effect as if they had been
- 30 on and from the date of passage of this Act in respect of all persons
- non (Workmen's) Act 1930 as amended by this Act and otherwise
- 5 The words "benefits payable by the Workmen's Compensation
- Administration of the States:
- (Workmen's) Act 1930 as amended by this Act
- 12 (a) the words "benefits payable by the Workmen's Compensation
- Administration" shall mean the same as in
- (a) "benefits payable by the Workmen's Compensation
- Administration" shall mean the same as in
- 10 (a) "benefits payable by the Workmen's Compensation
- Administration" shall mean the same as in
- (a) "benefits payable by the Workmen's Compensation
- Administration" shall mean the same as in
- (a) "benefits payable by the Workmen's Compensation
- Administration" shall mean the same as in

SCHEDULE 2

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- 2
- in accordance with subsection (2) of this section as
- such amendments were necessary to be made and contained
- therein and as if a reference in this section to any
- provision of the Act were a reference to the corresponding
- provision of the Act as amended by this Act
- Workmen's Compensation (Workmen's) Act 1930—continued
- AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S

SCHEDULE 1—continued

Workmen's Compensation (Workmen's) Act 1930—continued

1930

Act No. 125, 1977
**WORKMEN'S COMPENSATION (BROKEN HILL)
AMENDMENT ACT, 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:—

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 125, 1977.

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920, so as to increase rates of compensation payable under that Act in respect of workmen and to provide for the indexation of certain weekly payments of compensation under that Act. [Assented to, 9th December, 1977.]

4. Schedule 2 has effect as if paragraph (b) of the provisions of the Workers Compensation Act, 1926, that apply to or in respect of the determination of the current weekly wage rate of a worker under that Act applied to and in respect of the determination of the weekly rate of compensation payable in respect of a mine worker under that paragraph.

~~WORKMEN'S COMPENSATION (BROKEN HILL)~~
Workmen's Compensation (Broken Hill) 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 :—

Short title. 1. This Act may be cited as the "Workmen's Compensation (Broken Hill) Amendment Act, 1977".

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

SCHEDULE 1.—AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S COMPENSATION (BROKEN HILL) ACT, 1920.

SCHEDULE 2.—TRANSITIONAL AND SAVINGS PROVISIONS.

Amendment of Act No. 36, 1920. 3. The Workmen's Compensation (Broken Hill) Act, 1920, is amended in the manner set forth in Schedule 1.

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

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920.

(1) Paragraph 5A—

After paragraph 5, insert :—

5A. (a) Notwithstanding any other provisions of this scheme, in respect of any period of disablement of a mine worker, being a period which together with any other such periods (whether occurring before or after the date of assent to the Workmen's Compensation (Broken Hill) Amendment Act, 1977) do not total more than 26 weeks, compensation at a weekly rate shall be payable in respect of the mine worker at the same weekly rate as would have been payable in respect of him under the Workers' Compensation Act, 1926, if—

- (i) the mine worker were a worker as defined in the Workers' Compensation Act, 1926;
- (ii) the disablement in respect of which the compensation is payable were an injury, as so defined, that occurred when his disablement commenced; and
- (iii) the compensation were payable for incapacity for work resulting from such an injury.

(b) For the purposes of subparagraph (a), all of the provisions of the Workers' Compensation Act, 1926, that apply to or in respect of the determination of the current weekly wage rate of a worker under that Act apply to and in respect of the determination of the weekly rate of compensation payable in respect of a mine worker under that subparagraph.

SCHEDULE

*Workmen's Compensation (Broken Hill) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

(c) Where compensation is payable in respect of a mine worker under subparagraph (a), no compensation at a weekly rate shall be payable in respect of the mine worker under any other provisions of this scheme.

(2) (a) Paragraph 6 (1) (a)—

Omit "8.00" wherever occurring, insert instead "9.50".

(b) Paragraph 6 (1) (b)—

Omit "8.00", insert instead "9.50".

(3) (a) Paragraph 6A (b) (i), (ii)—

Omit "44" wherever occurring, insert instead "63".

(b) Paragraph 6A (b) (ii)—

Omit "1.50", insert instead "4.50".

(c) Paragraph 6A (b) (iii)—

Omit "17.50", insert instead "26.50".

(4) Paragraph 6C—

After paragraph 6B, insert :—

6c. Section 9A of the Workers' Compensation Act, 1926, applies to and in respect of any amount payable under this scheme at a weekly rate, other than an amount payable under paragraph 5A (a) of this scheme, in the same way as it applies to and in respect of an adjustable amount as defined in that

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

section, and as if a reference in this scheme to any such amount were required to be read and construed in accordance with subsection (3) of that section as applied by this paragraph.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

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—

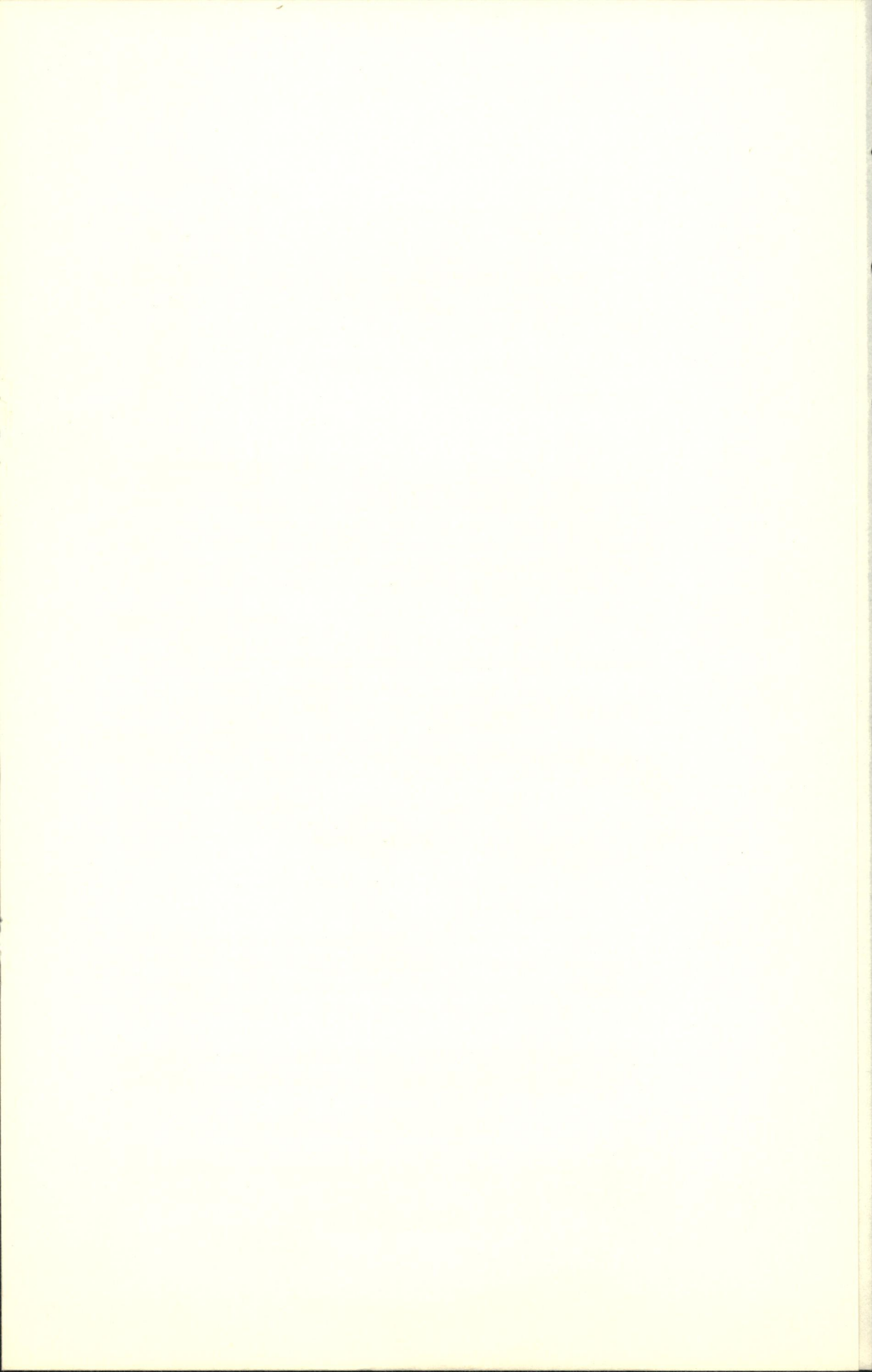
- (a) notwithstanding any other provision of this Act, his weekly entitlement immediately before that date; or
- (b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act,

whichever is the greater.

2. The weekly payments prescribed by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as to all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978



Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—continued

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—continued.

section, and as if a reference in this section to any such amount were required to be read and construed in accordance with subsection (2) of that section as applied by this paragraph.

SCHEDULE 2

Sec. 4.

TRANSITIONAL AND SPECIAL PROVISIONS.

1. Where, at the date of assent to this Act, a worker is disabled by weekly endorsement 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 endorsement immediately before that date; or
- (b) his weekly endorsement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act,

whichever is the greater.

2. The weekly payments provided by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as of all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1917

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—continued.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—continued.

section, and as if a reference in this section to any such account were required to be read and construed in accordance with subsection (2) of that section or applied by that paragraph.

SCHEDULE 2

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

1. Where, at the date of assent to this Act, a worker is disabled by 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

(b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act.

whichever is the greater.

2. The weekly payments provided by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as if all persons becoming entitled to compensation under that Act after that date.

BY AUTHORITY

D. WEST GOVERNMENT PRINTER, NEW SOUTH WALES—1917

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.

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

*Legislative Assembly Chamber,
Sydney, 2 December, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 125, 1977.

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920, so as to increase rates of compensation payable under that Act in respect of workmen and to provide for the indexation of certain weekly payments of compensation under that Act. [Assented to, 9th December, 1977.]

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Workmen's Compensation (Broken Hill) 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 :—

Short title. **1.** This Act may be cited as the "Workmen's Compensation (Broken Hill) Amendment Act, 1977".

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

SCHEDULE 1.—AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S COMPENSATION (BROKEN HILL) ACT, 1920.

SCHEDULE 2.—TRANSITIONAL AND SAVINGS PROVISIONS.

Amend-
ment of
Act No. 36,
1920. **3.** The Workmen's Compensation (Broken Hill) Act, 1920, is amended in the manner set forth in Schedule 1.

Transi-
tional and
savings
provisions. **4.** Schedule 2 has effect.

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920.

(1) Paragraph 5A—

After paragraph 5, insert :—

5A. (a) Notwithstanding any other provisions of this scheme, in respect of any period of disablement of a mine worker, being a period which together with any other such periods (whether occurring before or after the date of assent to the Workmen's Compensation (Broken Hill) Amendment Act, 1977) do not total more than 26 weeks, compensation at a weekly rate shall be payable in respect of the mine worker at the same weekly rate as would have been payable in respect of him under the Workers' Compensation Act, 1926, if—

- (i) the mine worker were a worker as defined in the Workers' Compensation Act, 1926;
- (ii) the disablement in respect of which the compensation is payable were an injury, as so defined, that occurred when his disablement commenced; and
- (iii) the compensation were payable for incapacity for work resulting from such an injury.

(b) For the purposes of subparagraph (a), all of the provisions of the Workers' Compensation Act, 1926, that apply to or in respect of the determination of the current weekly wage rate of a worker under that Act apply to and in respect of the determination of the weekly rate of compensation payable in respect of a mine worker under that subparagraph.

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

(c) Where compensation is payable in respect of a mine worker under subparagraph (a), no compensation at a weekly rate shall be payable in respect of the mine worker under any other provisions of this scheme.

(2) (a) Paragraph 6 (1) (a)—

Omit "8.00" wherever occurring, insert instead "9.50".

(b) Paragraph 6 (1) (b)—

Omit "8.00", insert instead "9.50".

(3) (a) Paragraph 6A (b) (i), (ii)—

Omit "44" wherever occurring, insert instead "63".

(b) Paragraph 6A (b) (ii)—

Omit "1.50", insert instead "4.50".

(c) Paragraph 6A (b) (iii)—

Omit "17.50", insert instead "26.50".

(4) Paragraph 6C—

After paragraph 6B, insert :—

6c. Section 9A of the Workers' Compensation Act, 1926, applies to and in respect of any amount payable under this scheme at a weekly rate, other than an amount payable under paragraph 5A (a) of this scheme, in the same way as it applies to and in respect of an adjustable amount as defined in that

SCHEDULE

Workmen's Compensation (Broken Hill) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE SCHEDULE TO THE WORKMEN'S
COMPENSATION (BROKEN HILL) ACT, 1920—*continued.*

section, and as if a reference in this scheme to any such amount were required to be read and construed in accordance with subsection (3) of that section as applied by this paragraph.

SCHEDULE 2.

Sec. 4.

TRANSITIONAL AND SAVINGS PROVISIONS.

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

(b) his weekly entitlement under the Workmen's Compensation (Broken Hill) Act, 1920, as amended by this Act,

whichever is the greater.

2. The weekly payments prescribed by the Workmen's Compensation (Broken Hill) Act, 1920, as amended by 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 compensation under the Workmen's Compensation (Broken Hill) Act, 1920, as well as to all persons becoming entitled to compensation under that Act after that date.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1977.*

TRANSITION AND SCHEDULE 2

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