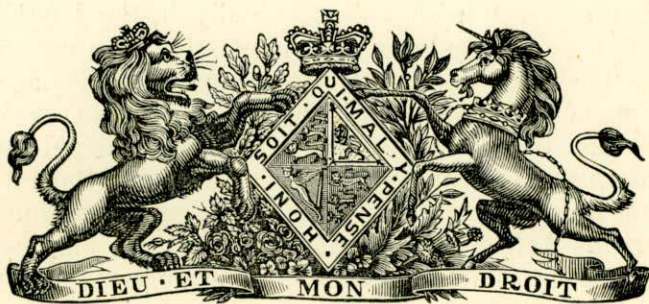


New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. VI.

An Act to amend the "Employers' Liability Act of 1886."
[Assented to, 24th March, 1893.]

WHEREAS it is desirable to extend to seamen the protection Preamble
afforded by the "Employers' Liability Act of 1886" to
workmen: Be it therefore 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 "Employers' Liability Act Short title and
Amendment Act, 1893," and shall be read with and construed to construction.
form part of the "Employers' Liability Act of 1886," hereinafter
called the Principal Act.

2. In this Act— Interpretation,
The term "ship" includes every vessel of whatever kind whether
propelled by steam, sails, oars, or otherwise.

The term "seamen" means every person employed upon a ship
owned in the Colony or who has signed articles of engage-
ment in the Colony.

Employers' Liability Act Amendment.

Protection of
Principal Act
extended to seamen.

3. When within the jurisdiction of the Colony a ship is moored or at anchor receiving or discharging cargo or coals and a personal injury is caused to a seaman—

- (I) By reason of any defect in the condition of the spars, tackle, machinery, gearing, fittings, or other apparel or furniture of the ship, or by reason of the absence of any necessary and usual spars, tackle, machinery, gearing, fittings, or other apparel or furniture of such ship; or
- (II) By reason of the negligence of any person in the service of the employer who has any superintendence intrusted to him, by such employer whilst in the exercise of such superintendence; or
- (III) By reason of the negligence of any person in the service of the employer of the seamen to whose orders or directions the seaman was at the time of the injury bound to conform and did conform: If such injury resulted from his having so conformed,

the seaman (or, in case the injury results in death, the legal personal representative of the seaman and any persons entitled in case of death) shall have the same right of compensation and remedies against the employer for any such personal injury as a workman or his legal representative would, under the provisions of the Principal Act, have in like cases against his employer: Provided nevertheless that in the event of a personal injury to a seaman any compensation shall be recovered under this Act by such seaman against an employer there shall be deducted from such compensation any expenses which the said employer may have had to pay for such accident under the provisions of the Act twenty-seventh Victoria number thirteen.

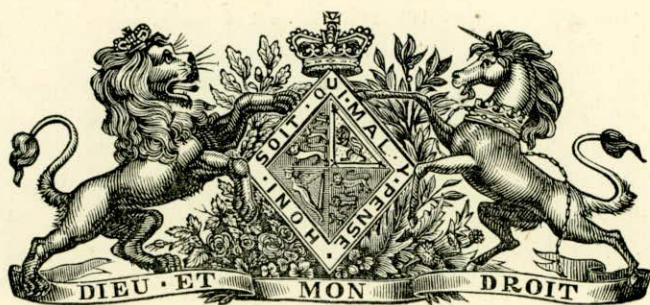
Exceptions to
amendment of law.

4. A seaman shall not be entitled under this Act to any right of compensation or remedy against the employer in any case under subsection one of section three of this Act, unless the defect therein mentioned arose from, or had not been discovered or remedied, owing to the negligence of the employer or of some person in the service of the employer, and intrusted by him with the duty of seeing that the spars, tackle, machinery, gearing, fittings, or other apparel or furniture of the ship were in proper condition, or that the absence of any necessary and usual spars, tackle, machinery, gearing, fittings, or other apparel or furniture was due to the negligence of the employer or of some person in the service of the employer, and intrusted by him with the duty of seeing that the same was duly provided.

Workmen to include
seamen.

5. For the purposes of this Act, the word "workman," whenever used in the Principal Act, shall mean and include a seaman.

New South Wales.



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Interpretation.

Employers' Liability Act Amendment.

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Exceptions to
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Workmen to include
seamen.

5. For the purposes of this Act, the word "workman," whenever used in the Principal Act, shall mean and include a seaman.

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.

*Legislative Assembly Chamber,
Sydney, 16 March, 1893. }*

*F. W. WEBB,
Clerk of Legislative Assembly.*

New South Wales.



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The term "seamen" means every person employed upon a ship
owned in the Colony or who has signed articles of engage-
ment in the Colony.

3.

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

*NINIAN MELVILLE,
Chairman of Committees of the Legislative Assembly.*

Employers' Liability Act Amendment.

Protection of
Principal Act
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3. When within the jurisdiction of the Colony a ship is moored or at anchor receiving or discharging cargo or coals and a personal injury is caused to a seaman—

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5. For the purposes of this Act, the word "workman," whenever used in the Principal Act, shall mean and include a seaman.

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

FREDK. M. DARLEY,
Lieutenant-Governor.

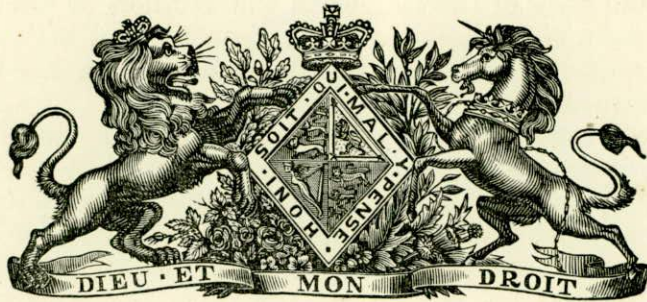
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