

**WORKERS' COMPENSATION.**

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No. 50 of 1966.

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**AN ACT to amend the Workers' Compensation Act,  
1912-1965.**

[Assented to 5th December, 1966.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Workers' Compensation Act Amendment Act, 1966.*

Reprinted as  
approved for  
reprint  
23rd March,  
1965, and  
amended by  
Acts Nos.  
60 and 113  
of 1965.

(2) In this Act, the Workers' Compensation Act, 1912-1965, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Workers' Compensation Act, 1912-1966.

2. Section seven of the principal Act is amended S. 7 amended. by substituting for the words, "seven thousand dollars" in subsection (3), where appearing,—

- (a) in the penultimate and last line of paragraph (a);
- (b) in the fifth and sixth lines of paragraph (f); and
- (c) in the penultimate and last line of paragraph (g),

the words, "ten thousand dollars", in every case.

3. Section eight of the principal Act is amended, S. 8 amended. as to subsection (14),—

- (a) by substituting for the words, "seven thousand dollars", in line twelve, the words, "ten thousand dollars"; and
- (b) by deleting paragraphs (a) to (f), inclusive and substituting the passage, "that was the maximum amount of his employer's liability to him under the provisions of this Act, as they existed at the time of the payment," .

4. Section eleven of the principal Act is repealed. S. 11 repealed.

5. The First Schedule to the principal Act is amended, First Schedule amended.—

(a) as to subparagraph (i) of paragraph (a) of clause 1,—

- (i) by substituting for the words, "seven thousand dollars", in lines two and three, the words, "ten thousand dollars"; and
- (ii) by substituting for the words, "two hundred dollars", in line four and, again, in the last line, the words, "two hundred and twenty dollars", in each case;

(b) as to paragraph (b) of clause 1, by inserting after the word, "of", in line two, and, again, after the word, "receiving", in line four of the proviso, the passage, " , or was entitled to receive," , in each case;

(c) as to paragraph (c) of clause 1,—

(i) by substituting for the words, "seventeen dollars sixty cents", in subparagraph (i), the words, "twenty-four dollars";

(ii) by substituting for the words, "twelve dollars", in subparagraph (ii), the words, "eighteen dollars";

(iii) by substituting for subparagraphs (A) and (B), in the subdivision commencing with the words, "Weekly payments", the passage, "thirty-six dollars;" ;

(iv) by substituting for the words, "seven thousand dollars", in the subdivision immediately preceding the proviso, the words, "ten thousand dollars";

(v) by substituting for paragraph (c) of the proviso the following paragraph—

(c) in addition to the compensation payable under this clause, a sum is payable equal to the reasonable expenses incurred in respect of—

(i) first aid and ambulance or other service to carry the worker to hospital or other place for treatment; medicines and medical requisites;

medical or surgical attendance, including, where necessary, treatment by specialists; charges for hospital treatment and maintenance, in accordance with the provisions of paragraph (d) of this proviso; the provision of hearing aids, artificial teeth, artificial eyes and, where the injury renders their use necessary, spectacles, but not exceeding, in the aggregate, one thousand five hundred dollars, unless the Board finds that, in the particular circumstances of the case, that amount is inadequate;

- (ii) funeral expenses, including all cemetery board charges, in the event of the death of the worker, but not exceeding the sum of one hundred and fifty dollars;
- (iii) the repair or replacement of an artificial limb, artificial teeth, artificial eyes or spectacles damaged or destroyed by accident arising out of or in the course of the worker's employment and, except in the case of artificial teeth, whether or not

the worker suffers personal injury within the meaning of section seven of this Act;

- (iv) the purchase or supply of a wheeled chair or similar appliance, where the worker has suffered the loss of both legs or is paralysed in both legs by reason of an accident or accidents arising out of or in the course of the worker's employment, but not exceeding an amount of one hundred and fifty dollars; and
- (v) the cost of any surgical appliance or of an artificial limb that complies with the standards laid down by the Commonwealth Repatriation Artificial Limb and Appliance Centre, if such an appliance or artificial limb is capable of relieving any disablement incurred by the worker by reason of an accident arising out of or in the course of his employment. ;

and

(d) as to clause 3,—

- (i) by inserting, immediately after the clause number, "3", the paragraph designation, "(a)";
- (ii) by deleting the words, "sixty-six and two-thirds per centum of", in line five; and

(iii) by adding the following paragraph—

(b) Where a worker who has so far recovered from his injury as to be fit for employment of a certain kind satisfies the Board that he has taken all reasonable steps to obtain, and has failed to obtain, that employment and that the failure is a consequence, wholly or mainly, of the injury, the Board may, without limiting its powers of review, order that the worker's incapacity be treated, or continue to be treated, as total incapacity, for such period, and subject to such conditions, as the order may provide. .

6. The Second Schedule to the principal Act is deleted and the following schedule is substituted,—

Second Schedule substituted.

SECOND SCHEDULE.

Section 7 (3).

TABLE.

Item.	Nature of Injury.	Amount of Compensation Payable. \$
1	Total loss of the sight of both eyes	10,000
2	Total loss of the sight of an only eye	10,000
3	Loss of both hands ....	10,000
4	Loss of both feet ....	10,000
5	Loss of a hand and a foot ....	10,000
6	Total and incurable loss of mental powers involving inability to work ....	10,000
7	Total and incurable paralysis of the limbs or of mental powers	10,000
		and, in addition, when a medical practitioner certifies the injury to be total and incurable paralysis of the limbs, an attendant's remuneration at a rate not exceeding six dollars per week.
8	Total loss of the right arm or of the greater part of the right arm ....	8,000
9	Total loss of the left arm or of the greater part of the left arm ....	7,486

Item.	Nature of Injury.	Amount of Compensation Payable.	
		§	
10	Total loss of the right hand or of five fingers of the right hand, or of the lower part of the right arm ....	7,000	
11	Total loss of the same for the left hand and arm ....	6,486	
12	Total loss of a leg ....	7,486	
13	Total loss of a foot or the lower part of the leg ....	6,000	
14	Total loss of the sight of one eye, together with the serious diminution of the sight of the other eye ....	7,486	
15	Total loss of hearing ....	6,000	
16	Partial deafness of both ears	Such percentage of \$6,000 as is equal to the percentage of diminution of hearing.	
17	Complete deafness of one ear ....	2,000	
18	Total loss of the sight of one eye ....	4,000	
19	Loss of binocular vision ....	4,000	
20	Total loss of the thumb of the right hand ....	3,000	
21	Total loss of the thumb of the left hand ....	2,600	
22	Total loss of the forefinger of the right hand ....	2,000	
23	Total loss of the forefinger of the left hand ....	1,586	
24	Total loss of a joint of the thumb	1,586	
25	Total loss of the first joint of the forefinger of either hand ....	786	
26	Total loss of the middle finger of the hand ....	1,186	
27	Total loss of the little or ring finger of the hand ....	1,086	
28	Total loss of a joint of a finger ....	586	
29	Total loss of the great toe of either foot ....	2,000	
30	Total loss of a joint of the great toe of either foot ....	1,000	
31	Total loss of any other toe ....	586	
32	Total loss of a joint of any other toe	186	
33	Partial loss of the sight of both eyes or an only eye ....	Such percentage of \$10,000 as is equal to the percentage of the diminution of sight measured without the aid of a correcting lens.	
34	Partial loss of the sight of one eye ....	Such percentage of \$4,000 as is equal to the percentage of the diminution of sight measured without the aid of a correcting lens..	