

WORKERS' COMPENSATION.

1° Elizabeth II., No. LXIV.

No. 64 of 1952.

**AN ACT to amend the Workers' Compensation Act,
1912-1951.**

[Assented to 7th January, 1953.]

BE 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, 1952.*

(2) In this Act the Workers' Compensation Act, 1912-1951—

Act No. 69 of 1912, as reprinted with amendments to and including Act No. 77 of 1948, incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, and as further amended by Acts Nos. 33 of 1949 and 48 of 1951,

Apprvd for
reprint, 2nd
Feb. 1949.

is referred to as the principal Act.

(3) The principal Act, as amended by this Act, may be cited as the *Workers' Compensation Act, 1912-1952.*

S. 30
amended.

2. Section thirty of the principal Act is amended by—

(a) adding after the word, "shall" in line three of subsection (1) the words, "subject to the provisions of subsection (1a) of this section";

- (b) adding after subsection (1) the following subsection—

(1a) After the commencement of the Workers' Compensation Act Amendment Act, 1952, the Premium Rates Committee shall not vary the premium rate to be charged for insurance in respect of insurable risks under the provisions of this Act relating to silicosis pneumoconiosis, or miner's phthisis,

Cf. ss. 8 (14)
and 11 (2)
ante.

- (i) unless on the recommendation of a duly qualified actuary made to the Committee as the result of actuarial investigation made by him; or
- (ii) unless with the approval of the Minister.

3. Subparagraph (ii) of paragraph (c) of clause one of the First Schedule to the principal Act is amended by—

Subpar. (ii)
of par. (c) of
cl. 1 of the
First
Schedule
amended.

- (a) adding after the words, "Weekly payments," in line eighteen the words, "where there are no dependants wholly dependent shall not exceed the average weekly earnings or eight pounds, whichever is the lesser amount and where there are dependants wholly dependent weekly payments";
- (b) substituting for the words, "eight pounds" in line twenty the words, "ten pounds".

4. Paragraph (c) of the proviso to clause one of the First Schedule to the principal Act is amended by—

Par. (c) of
the proviso
to cl. 1 of the
First
Schedule
amended.

- (a) deleting the words, "hospital charges for treatment and maintenance not exceeding as hereinafter prescribed in paragraph (d)," in lines seven, eight and nine;
- (b) substituting for the words, "two hundred" in line sixteen the words, "one hundred";
- (c) deleting the word, "pounds" in line sixteen;
- (d) adding after the words, "In addition to such amount there shall be payable" in line twenty-one the words, "charges for hospital

Cf. No. 48 of
1951, s. 12 (j).

Cf. No. 48 of
1951, s. 12 (i).
Cf. No. 48 of
1951, s. 12 (i)

treatment and maintenance in accordance with the provisions of paragraph (d) of this proviso but not exceeding a total of one hundred and fifty pounds, and”.

Paragraph (d) of the proviso to clause one of the First Schedule repealed and re-enacted.

5. Paragraph (d) of the proviso to clause one of the First Schedule is repealed and re-enacted as follows—

(d) (i) In this paragraph—

“area” means the area within an imaginary circle having a radius of 15 miles from the General Post Office at Perth;

“public hospital” means a public hospital administered under the Public Hospitals Act, 1937.

(ii) The hospital charges mentioned in paragraph (c) of this proviso for the treatment and maintenance of the worker—

in a public hospital within the area;
in a public hospital outside the area;
in a private hospital;

shall be at the respective rates determined by the Board as the equivalent of the general rate chargeable for treatment of cases other than workers' compensation cases in

a public ward bed in a public hospital within the area;
a public ward bed in a public hospital outside the area;
a ward bed in a private hospital.

(iii) The Board is authorised from time to time to determine the rates mentioned in subparagraph (ii) of this paragraph and a determination so made shall have effect on publication of the determination in the *Gazette*.

Par. (b) of cl. 4 of the First Schedule amended.
Cf. No. 48 of 1951, s. 12 (p).

6. Paragraph (b) of clause four of the First Schedule to the principal Act is amended by—

(a) substituting for the word, “ten” in line seven the word, “thirteen”;

(b) substituting for the word, "three" in line seven the word, "four".

7. Paragraph (i) of clause eleven of the First Schedule to the principal Act is amended by substituting for the words, "one thousand two hundred and fifty pounds" in lines four and five the words, "one thousand seven hundred and fifty pounds".

Par. (1) of
cl. 11 of the
First
Schedule
amended.
Cf. No. 48 of
1951, s. 12
(E).
