



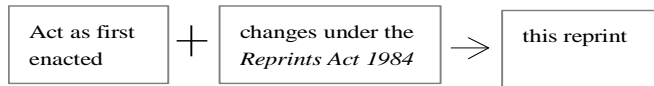
Western Australia

# **Law Reform (Common Employment) Act 1951**

**Reprinted as at 10 May 2002**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original Act are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the Act as passed.

Western Australia

## Law Reform (Common Employment) Act 1951

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Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 10 May 2002

## Law Reform (Common Employment) Act 1951

**An Act to abolish the common law doctrine of common employment.**

**1. Short title**

This Act may be cited as the *Law Reform (Common Employment) Act 1951*<sup>1</sup>.

**2. Repeal of Act 58 Vict. No. 3**

The *Employers' Liability Act 1894* (58 Victoriae No. 3) is hereby repealed.

**3. Common law doctrine of common employment abrogated and contracting out prevented**

- (1) It shall not be a defence to an employer who is sued in respect of any injury or damage caused by the wrongful act, neglect, or default of a person employed by him, that that person was at the time the injury or damage was caused in common employment with the person suffering that injury or damage.
- (2) Any provision contained in a contract of service or apprenticeship, or in an agreement collateral thereto (including a contract or agreement entered into before the commencement of this Act), shall be void in so far as it would have the effect of excluding or limiting any liability of the employer in respect of personal injuries caused to the person employed or apprenticed by the wrongful act, neglect, or default of any persons in common employment with him.

**s. 4**

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- (3) This Act shall bind the Crown and instrumentalities of the Crown.

**4. Application of this Act**

This Act shall apply to all causes of action accruing after its commencement.

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**Notes**

- <sup>1</sup> This is a reprint as at 10 May 2002 of the *Law Reform (Common Employment) Act 1951*. The following table contains information about that Act.

**Compilation table**

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<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Law Reform (Common Employment) Act 1951</i>	29 of 1951	19 Dec 1951	19 Dec 1951

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