

WORKERS' COMPENSATION.

No. 44 of 1981.

AN ACT to amend the Workers' Compensation Act
1912-1979.

[Assented to 1 September 1981.]

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:—

1. (1) This Act may be cited as the *Workers' Compensation Amendment Act 1981*.

Short title
and citation.

(2) In this Act the Workers' Compensation Act 1912-1979 is referred to as the principal Act.

Reprinted as
approved 28
July 1978
and amended
by Acts Nos.
67 of 1979
and 85 of
1979.

(3) The principal Act as amended by this Act may be cited as the Workers' Compensation Act 1912-1981.

Commence-
ment.

2. (1) This Act, other than paragraph (a) of section 3, shall come into operation on 1 September 1981.

(2) Paragraph (a) of section 3 shall be deemed to have come into operation on 27 December 1973.

First
Schedule
amended.

3. Clause 1 of the First Schedule to the principal Act is amended in paragraph (c)—

(a) by deleting “but the total liability of the employer in respect of weekly payments shall not exceed the prescribed amount unless the Board so orders under paragraph (aa) of subsection (7) of section 29 of this Act.” and substituting the following—

“ but the entitlement of a worker to weekly payments during an incapacity under this Act ceases if and when the total weekly payments for that incapacity reaches the prescribed amount, unless the Board has made or makes an order to the contrary under section 29 (7) (aa) of this Act, and there shall be no revival of, or increase in, that entitlement upon any subsequent increase in the prescribed amount. ” ; and

(b) by deleting proviso (d) and substituting the following proviso—

“ (d) (i) The hospital charges mentioned in paragraph (c) of this proviso for treatment and maintenance of the worker in a hospital shall, subject to subparagraph (ii) of this paragraph, be as provided under the Hospitals Act 1927 in relation to such cases.

(ii) Where, on reasonable medical advice in the interests of the health of the worker or where

by reason of the unavailability of hospital accommodation, the worker occupies more expensive hospital accommodation than that to which the charges provided under the Hospitals Act 1927 refer the Board may, on the application of the worker, determine that a rate higher than those provided under the Hospitals Act 1927 shall be the rate for hospital charges mentioned in paragraph (c) of this proviso. ” .
