

WORKERS' COMPENSATION (No. 2).

No. 43 of 1970.

**AN ACT to amend the Workers' Compensation Act,
1912-1970.**

[Assented to 23rd September, 1970.]

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 Act Amendment Act (No. 2), 1970.*

Short title
and citation.

(2) In this Act the Workers' Compensation Act, 1912-1970 is referred to as the principal Act.

Reprinted as
approved for
reprint 15th
July, 1969
and further
amended by
Act No. 18
of 1970.

(3) The principal Act as amended by this Act may be cited as the Workers' Compensation Act, 1912-1970.

Amendment
to s. 5.
(Interpre-
tation.)

2. Section 5 of the principal Act is amended by adding after the interpretation "This State" an interpretation as follows—

"Widow" or "Wife", in relation to compensation payable in respect of the death of a worker, includes a woman who for not less than three years immediately before the worker's death, although not legally married to him, lived with him as his wife on a permanent and *bona fide* domestic basis and "Wife", in relation to any time while a worker is being paid weekly payments of compensation, includes a woman who, at that time, is living with him as his wife on a permanent and *bona fide* domestic basis, although she is not legally married to him, and who has been so living for not less than three years immediately before that time. .

Amendment
to s. 7.
(Liability of
employers to
workers for
injuries.)

3. Subsection (2) of section 7 of the principal Act is amended by adding after the word "disallowed", being the last word in paragraph (c), the words "unless the injury results in death or serious and permanent disablement".

Amendment
to s. 8.
(Compensa-
tion of
worker
dying from
or affected
by certain
industrial
diseases.)

4. Subsection (1a) of section 8 of the principal Act is amended by adding after the word "pneumoconiosis" in line three, the passage "or, on and after the 8th May, 1970, mesothelioma".

Amendment
to First
Schedule.
(Scale and
conditions
of compen-
sation.)

5. Clause 1 of the First Schedule to the principal Act is amended—

- (a) by substituting for the words "ten thousand eight hundred and eighty-one", in lines five and six of item (I) of subparagraph (i) of paragraph (a), the words, "eleven thousand";
- (b) by substituting for the words "five hundred and thirty-seven", in the second last and last lines of paragraph (a), the words "six hundred and sixty-five";

- (c) by substituting for the words "twenty-six dollars ten cents", in the last line of subparagraph (i) of paragraph (c), the words "twenty-seven dollars";
- (d) by substituting for the words "nineteen dollars sixty cents", in the last line of subparagraph (ii) of paragraph (c), the words "twenty dollars twenty-five cents";
- (e) by substituting for the words "eleven dollars eighty cents"—
 - (i) in line thirteen of subparagraph (iii) of paragraph (c); and
 - (ii) in line fourteen of subparagraph (iii) of paragraph (c),
the words "twelve dollars twenty cents";
and
- (f) by substituting for the words "six dollars ninety cents", in line one of subparagraph (v) of paragraph (c), the words "seven dollars sixty cents".