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[1905.

THE WORKERS' COMPENSATION ACT, 1902.

Department of Labour,

Perth, 24th August, 1905.

HIS Excellency the Governor in Executive Council has been pleased to repeal Regulations Nos. 3 to 38 inclusive, and No. 43 of the Regulations under "The Workers Compensation Act, 1902," made on the 24th day of July, 1902, and Forms C.B., C.C., C.D., C.E., C.F., C.G., C.H., C.I., C.J., C.K., C.L., C.M., C.N., C.O., C.P., C.Q., C.R., C.S., and C.T., and to make the following Regulations in lieu thereof.

EDGAR T. OWEN,

Secretary for Labour.

Amended Regulations under the Workers' Compensation Act, 1902 (1 & 2 Edwd. VII., No. 5).

1. Every proceeding under section eight of "The Workers' Compensation Act, 1902," shall be commenced by plaint and summons, and all the Local Court orders and rules in force for the time being shall, *mutatis mutandis*, apply to such proceedings, subject to such regulations as may be in force from time to time under the said Act :

Provided that the special forms in the Schedule to these rules and in Part II. of the Appendix to the Local Court Rules shall be used in place of the forms in Part I. of the Appendix to the Local Court Rules as far as the same are applicable.

Parties to hearing.

2. (1.) (a.) An action on behalf of the dependants of a deceased worker for the settlement by the Court of the amount payable as compensation to such dependants shall be made by the legal personal representative (if any) of the deceased worker.

(b.) If there is no legal personal representative, the action may be made by the dependants themselves.

(c.) If there is any conflict of interest between the dependants themselves, the action may be brought by the legal personal representative on behalf of some only of such dependants ; or if there is no legal personal representative, then by some only of such dependants, the other dependants in either case being made defendants.

(d.) In this rule "dependants" includes persons claiming to be dependants.

(2.) In any case where the amount of the compensation is agreed upon or ascertained, but a question arises as to who are dependants or as to the amount

payable to each dependant, it shall not be necessary to make the employer a defendant if he pays the compensation agreed on or ascertained, but otherwise he shall be a defendant.

(3.) If at any time before the hearing the employer, being a defendant, pays the amount of compensation agreed on or ascertained into court to be dealt with as the court directs, further proceedings against him shall be stayed.

Answer by defendant.

3. (1.) If any defendant—

- (a.) Desires to disclaim any interest in the subject matter of the hearing; or,
- (b.) Considers that the plaintiff's particulars are in any respect incorrect or incomplete; or,
- (c.) Desires to bring any fact or document before the court; or,
- (d.) Intends to rely on the fact that notice of the accident was not served in accordance with the said Act; or,
- (e.) Intends to rely on the fact that the claim for compensation was not made within the time limited by the said Act; or
- (f.) Intends to deny (wholly or in part) his liability to pay compensation under the said Act,

he shall, five clear days at least before the return day, file with the clerk an answer in Form 7 in the Schedule, or as near thereto as the circumstances will admit.

(2.) Such defendant shall, with his answer, file three copies thereof for the court, and one copy for the plaintiff, and the clerk shall, within twenty-four hours after receiving the same, transmit a copy by post to the plaintiff.

(3.) Subject to any answer so filed, the plaintiff's particulars, and, in the case of a claim for compensation, the liability to pay compensation under the said Act, shall be taken to be admitted:

Provided that the court may, in case of non-compliance with this rule, and on such terms as it thinks fit, either proceed with the hearing and allow the defendant to avail himself of any matter of which he should, pursuant to this rule, have given notice by filing an answer, or adjourn the hearing to enable the defendant to file such answer.

Submission to judgment or payment into court.

4. (1.) Where a defendant from whom compensation is claimed admits liability he may, at any time before the return day, proceed thus—

- (a.) Where the proceedings are taken by an injured worker, the defendant may file with the clerk a notice, in the Form 8 in the Schedule, that he submits to judgment for the payment of a specified weekly sum; or

(b.) Where the proceedings are taken by or on behalf of the dependants of a deceased worker or for the settlement of the sum payable in respect of medical attendance on and the burial of a deceased worker who leaves no dependants, he may pay into court such sum as the defendant considers sufficient to cover his liability in the circumstances of the case.

(2.) The clerk shall, within twenty-four hours from the time of any notice filed or payment made under paragraph (1.) of this Rule, send notice thereof in the Form 9 or 10 in the Schedule, as the case requires, together with a copy of the notice filed, if any, to the plaintiff and to the other defendants, if any.

(3.) If the plaintiff is the injured worker and elects to accept the weekly payment specified in the defendant's notice in satisfaction of his claim, he shall send to the clerk and to the defendant a written notice in Form 11 in the Schedule, stating such acceptance.

(4.) If the proceedings have been taken on behalf of the dependants of the deceased worker, or for the settlement of the sum payable in respect of medical attendance and burial as aforesaid, and the plaintiff is willing to accept the sum paid into court in satisfaction of the compensation payable to the dependants, or in respect of such medical attendance and burial (as the case may be), he shall send to the clerk and to the defendant a written notice, in the Form 11 in the Schedule, of such acceptance.

(5.) If there are any other defendants, the plaintiff shall in like manner give notice of his acceptance to those defendants, and if they, or any of them, are willing to accept the sum paid into court in satisfaction of such compensation as aforesaid, they shall in like manner give notice of their acceptance to the clerk, to the plaintiff, and to the other defendants.

(6.) The notice required by paragraphs (3), (4), and (5) of this Rule to be sent to the clerk and to the defendant shall in each case be sent within such reasonable time before the return day as the time of filing of the notice of submission by the defendant under paragraph (1) permits.

(7.) If the plaintiff is the injured worker, and elects to accept, in satisfaction of his claim, the weekly payments submitted to by the defendant, or if in any other case the plaintiff and all the other defendants give notice of their acceptance of the sum paid into the court, the following provisions shall apply:—

- (a.) Where the defendant submits to judgment for the payment of a weekly sum, the court may forthwith adjudge payment of such weekly sum accordingly.
- (b.) Where the defendant has paid money into court, further proceedings against such defendant shall be stayed, except as hereinafter mentioned.

- (c.) If the plaintiff and the other defendants agree as to the apportionment and application of such sum, the court may, on application made on behalf or with the consent of all such parties, forthwith make an order for such apportionment and application.
- (d.) In any other case the hearing may proceed as between the plaintiff and the other defendants.
- (e.) In any such case the court may, in its discretion, order the defendants filing notice of submission or paying money into court to pay such costs as the plaintiff and the other defendants, or any of them, have properly incurred before the receipt of notice of submission to judgment or payment into court.

(8.) In default of notice of acceptance by the plaintiff and all the defendants, the hearing may proceed; but if no greater weekly payment or compensation is adjudged than that which the defendant has submitted to pay or has paid into court, such defendant shall not be liable to pay any further costs than he would have been ordered to pay if the weekly payment offered, or sum paid into court, had been accepted; and the court may order any costs incurred by the defendant after notice of submission or payment into court to be paid by any party who has not given notice of acceptance, and may order such costs to be set off against any costs payable to such party or to be deducted from any weekly payment or compensation awarded to him.

Costs.

5. (1.) The costs of and incidental to any proceedings under the said Act shall be in the discretion of the Court, or in the absence of assessors, of the magistrate. Such costs shall be taxed pursuant to Order XXXIV. of the Local Court Rules, 1905, according to the scale in Part IV. of the Appendix thereto.

Provided that the Court or magistrate may increase such allowances under special circumstances, and particularly in view of the distance it may be necessary for counsel and witness to travel.

(2.) Where a worker submits himself for examination to a medical referee under paragraph 5 of the Second Schedule to the said Act, and the certificate of the referee is used in any subsequent proceedings, any reasonable travelling and other expenses incurred by the worker in attending the referee for examination or in obtaining such certificate may (if not otherwise provided for) be included in the costs of the hearing.

Appointment of Assessors.

6. (1.) The plaintiff and defendant shall each appoint one person as an assessor.

(2.) The appointment of an assessor shall be in the form or to the effect of

Form 12 in the Schedule, and shall be filed with the clerk of the Local Court.

(3.) Should either or both the parties fail or neglect to appoint an assessor within seven days after service of the summons or notice of application, the Minister may appoint an assessor or assessors.

(4.) The clerk shall give to each assessor notice of the time and place appointed for the hearing.

(5.) Every assessor shall, by writing under his hand, signify his consent to act as assessor.

(6.) If any assessor dies or resigns, the party appointing him may forthwith appoint another assessor in his place; provided that the proceedings shall not abate or be affected by any such vacancy.

(7.) The party appointing an assessor shall pay the assessor's fees to the clerk in advance.

Application to suspend payments.

7. (1.) In case a worker is entitled to weekly payments under the said Act and refuses when required by the employer to submit himself to an examination by a qualified medical practitioner, or in any way obstructs the same, application may be made to the Court, in Form 16 in the Schedule, to suspend the weekly payments awarded to the worker until such examination takes place.

(2.) The application must be served upon the other party at least five clear days before the day fixed for the hearing.

Application to review or redeem weekly payment.

8. (1.) Either the employer or the worker may at any time after judgment, and while weekly payments are payable thereunder, apply to the court, in the Form 17 in the Schedule, for the review of the weekly payments under the provisions of paragraph 7 of the Second Schedule to the said Act.

(2.) An application by the employer to redeem the weekly payments under the provisions of paragraph 8 of the Second Schedule to the said Act may be made in a similar manner as in the case referred to in the last paragraph (1) of this Rule.

(3.) In either case the application must be served on the other party at least five clear days before the day fixed for the hearing.

Fees.

9. The following fees shall be payable:—

(a.) For each Assessor, for each sitting in addition to actual travelling expenses, £1 1s.

(b.) For every certificate of the Registrar under Section 13 of the Act, £1 1s.

(c.) The Court fees and Bailiff's fees as prescribed by the Local Court Rules, 1905, and applicable to proceedings within the ordinary jurisdiction of the Court.

THE SCHEDULE.

1.—PRÆCIPUE FOR SUMMONS BY AN INJURED WORKER FOR COMPENSATION PAYABLE TO HIM.

The Workers' Compensation Act, 1902.

In the Local Court of
held at

No. of Plaintiff

Between A.B., Plaintiff,
and
C.D., Defendant.

PRÆCIPUE for the entry of a plaint and the issue of a summons under "The Workers' Compensation Act, 1902," at the suit of the above-named plaintiff against the above-named defendant, to determine a question of liability to pay compensation, and the amount or duration thereof under the said Act in respect of personal injury caused to the plaintiff, by accident arising out of or in the course of his employment.

Particulars are hereto annexed.

Dated the day of , 19 .

Plaintiff
[or Solicitor for the Plaintiff.]

PARTICULARS.

1. Name and address of plaintiff (injured worker)
2. Name, place of business, and nature of business of defendant (employer)
3. Nature of employment of worker at time of accident, and whether employed under defendant or under a contractor with him. [If employed under a contractor who is not a defendant, name and place of business of contractors to be stated]
4. Date and place of accident
5. Nature of work on which worker was then engaged, and nature of accident and cause of injury
6. Nature of injury
7. Particulars of incapacity for work, whether total or partial, and estimated duration of incapacity
8. Average weekly earnings during the 12 months previous to the injury, if the worker was so long employed under the defendant, or if not, during the time he was so employed
9. Estimated average amount which the worker is able to earn after the accident
10. Payments, not being wages, received from defendant in respect of the injury during the period of incapacity
11. Amount of fines (if any) under any Act applied for benefit of injured worker
12. Amount claimed as compensation
13. Date of service of statutory notice of accident on defendant, and whether given before worker voluntarily left the defendant's employment. [A copy of the notice to be annexed]
14. If notice not served, why not
The name and address of the defendant to be served with the summons.

Dated this day of , 190 .

(Signed) Plaintiff.
[or Plaintiff's Solicitor.]
Address

2.—PRÆCIPUE FOR SUMMONS BY LEGAL PERSONAL REPRESENTATIVE OF DECEASED WORKER, OR BY DEPENDANTS.

Workers' Compensation Act, 1902.

[Heading as in Form 1.]

PRÆCIPUE for the entry of a plaint and the issue of a summons under "The Workers' Compensation Act, 1902," at the suit of the above-named plaintiff, the legal personal representative of E.F., deceased, acting on behalf of the dependants of the deceased [or a dependant or dependants of deceased] against the above-named defendant, to determine a question of liability to pay compensation under the said Act in respect of injury caused to the said dependants by the death of the said E.F., which resulted from injury caused

to the said E.F. by accident arising out of and in the course of his employment. [And the settlement of questions as to who are dependants, and the apportionment and application of such compensation].

Particulars are hereto annexed.

Dated the day of , 190 .

Plaintiff
[or Solicitor for the Plaintiff.]

PARTICULARS.

1. Name and late address of deceased worker
2. Name, place of business, and nature of business of defendant from whom compensation is claimed
3. Nature of employment of deceased worker at time of accident, and whether employed under defendant or under contractor with him. [If employed under contractor who is not defendant, name and place of business of contractor to be stated].
4. Date and place of accident
5. Nature of work on which deceased worker was then engaged, and nature of accident and cause of injury
6. Nature of injury to deceased worker, and date of death
7. Earnings of the deceased worker during the three years next preceding the injury, if he was so long in the employment of the same employer, and if not, particulars of his average weekly earnings during the period of such employment
8. Amount of weekly payments (if any) made to the deceased worker under the Act
9. Amount of fines (if any) under any Act applied for benefit of deceased worker or his dependants
10. Character in which plaintiff sues, i.e., whether as legal personal representative of deceased worker, or as a dependant; and if as a dependant, particulars showing how he is so
11. Particulars as to the dependants of the deceased worker by whom, or on whose behalf, the proceedings are taken, giving the names, addresses, and occupations, and, if minors, their respective ages, and stating whether they were wholly or partially dependent on the earnings of the deceased worker at the time of his death
12. Particulars as to any persons claiming to be dependants, but as to whose claim a question arises, and who are, therefore, made dependants, with their names, addresses, and occupations
13. Amount claimed as compensation, and showing how applicant proposes such amount shall be apportioned and applied
14. Date of service of statutory notice of accident on defendant, from whom compensation is claimed, and whether given before deceased worker voluntarily left the employment in which he was injured [A copy of the notice to be annexed]
15. If notice not served, why not

Dated this day of , 190 .

(Signed) Plaintiff.
[or Plaintiff's Solicitor.]
Address

3.—PRÆCIPUE FOR SUMMONS TO DETERMINE DEPENDANTS, OR AMOUNT PAYABLE THERETO.

The Workers' Compensation Act, 1902.

In the Local Court of , held at
Between A.B., the legal personal representative
of C.D., deceased, Plaintiff

and
E.F., Employer,
and G.H., who claims to be a
dependant of C.B., deceased.
and I.J., do do do.
Defendants.

PRÆCIPUE for the entry of a plaint and the issue of a summons under "The Workers' Compensation Act, 1902," at the suit of the above-named plaintiff, the legal personal representative of C.D.,

deceased, and against *E.F.*, employer, and *G.H.*, and *I.J.*, who claim to be dependants of the said *C.D.* [or as the case may be], to settle questions as to who are dependants of the said *C.D.*, and as to the apportionment and application of the agreed (or ascertained) amount of compensation under the said Act in respect of the injury which resulted in the death of the said *C.D.*, caused by accident arising out of and in the course of his employment.

Particulars are hereto annexed:—

PARTICULARS.

1. Name and late address of deceased worker
 2. Name and place of business of employers by whom compensation has been paid or is payable
 3. Date of accident to deceased worker and date of death
 4. Agreed or ascertained amount of compensation to be paid to dependants of deceased worker
 5. Particulars as to whether the compensation money is still payable or has been paid, and, if so, to whom and in whose hands it now is
 6. Character in which the plaintiff sues, *i.e.*, whether as legal personal representative of deceased worker or as a dependant; and if as a dependant, particulars showing how he is so
 7. Particulars as to the dependants or persons claiming to be dependants by whom or on whose behalf the proceedings are taken, giving their names, addresses, and occupations, and if minors, their respective ages, and stating whether they were or claim to have been wholly or partially dependent on the earnings of the deceased worker at the time of his death
 8. The like particulars as to any dependants who are made defendants
- [NOTE.—If there is a legal personal Representative, and he is not the plaintiff, he must be made a defendant.]
9. Particulars as to any persons claiming to be dependants, but as to whose claim a question arises, and who are therefore made defendants, and their names, addresses, and occupations
 10. Particulars of the manner in which the plaintiff proposes to have the amount of compensation apportioned and applied

The names and addresses of the defendants to be served with the summons are:—

E.F......
G.H......
I.J......

[or as the case may be.]

Dated this.....day of....., 190

(Signed)Applicant.

[or.....Applicant's Solicitor.]

Address.....

4.—PRÆCIPE FOR SUMMONS TO DETERMINE COMPENSATION PAYABLE FOR MEDICAL AND BURIAL EXPENSES.

The Workers' Compensation Act, 1902.

In the Local Court of....., held at.....
 Between *A.B.*, the legal personal representative of *C.D.*, deceased [or the person to whom the expenses claimed are due, the deceased having left no dependants].

and *E.F.* (Employer)
 and *G.H.*, Defendants.

PRÆCIPE for the entry of a plaint and the issue of a summons under "The Workers' Compensation Act, 1902," at the suit of the above-named plaintiff against the above-named defendants to determine questions as to the compensation payable under the said Act in respect of the reasonable expenses of medical attendance on and the burial of *C.D.*, deceased, whose death resulted from injury caused to the said *C.D.* by accident arising out of and in the course of his employment, and the apportionment and application of such amount.

Particulars are hereto annexed:—

PARTICULARS.

1. Name and late address of deceased worker
2. Name, place of business, and nature of business of defendants from whom compensation is claimed
3. Nature of employment of deceased worker at time of accident, and whether employed under defendant or under a contractor with him. [If employed under contractor who is not defendant, name and place of business of contractor to be stated.]
4. Date and place of accident
5. Nature of work on which deceased worker was engaged then and nature of accident and cause of injury
6. Nature of injury to deceased worker and date of death
7. Character in which plaintiff applies, *i.e.*, whether as legal personal representative of deceased worker or as a person to whom expenses in respect of which compensation is payable are due; and, if the latter, particulars of the circumstances under which the expenses are claimed to be due to the plaintiff
8. Particulars as to any other persons who claim that expenses in respect of which compensation is payable are due to them, and who are, therefore, made defendants, with their names and addresses
9. Particulars as to any persons claiming to be dependants, but as to whose claim a question arises, and who are, therefore, made defendants, with their names, addresses, and occupations
10. Amount claimed as compensation, and showing how the plaintiff proposes such amount shall be apportioned and applied
11. Date of service of statutory notice of accident on defendants from whom compensation is claimed, and whether given before deceased worker voluntarily left the employment in which he was injured. [A copy of the notice to be annexed.]
12. If notice not served, why not

The names and addresses of the defendants to be served with the summons are:—

E.F......
G.H......

Dated this.....day of....., 190

Signed.....Applicant.

[or.....Applicant's Solicitor.]

Address.....

5.—PLAINT NOTE.

(Heading as in Form of Præcipe for Summons.)

Fees Paid.

	£	s.	d.

The above action was entered this day, and will be tried at , on , the day of , 190 , at o'clock in the noon.

Dated this day of , 190

.....
 Clerk of the Court.

Hours of attendance at the office of the Clerk from ten till four, except on Saturday, and during vacation, when the Office is closed at twelve noon.

6.—SUMMONS.

(Heading as in Form of Præcipe for Summons.)

YOU are hereby summoned to appear at a Local Court, to be held at , on the day of , 190 , at the hour of in the noon, to answer the plain-

If you send such notice, the Court will, on application, enter judgment for payment of such weekly sum to you, and you will be liable to no further costs.

In default of such notice, the hearing will be proceeded with; and if no greater weekly payment is awarded to you, you will be liable to be ordered to pay the costs incurred by the defendant subsequent to the receipt by you of this notice.

Dated this.....day of....., 190 ..

..... Clerk of the Court.

To the Plaintiff.

10.—NOTICE OF PAYMENT INTO COURT.

The Workers' Compensation Act, 1902.

(Heading as in Summons.)

TAKE NOTICE—

That the defendant has this day filed with me a notice that he admits his liability to pay compensation, and he has paid into Court the sum of £....., in satisfaction of such liability.

If you are willing to accept the sum so paid into Court in satisfaction of the compensation claimed, you must send to me and to the defendant, a written notice forthwith by post, or leave such notice at my office, and at the residence or place of business of the said plaintiff.

If you and all the other defendants [or if you and the plaintiff and all the other defendants] send such notice, and agree as to the apportionment and application of the said sum of £....., the Court will, on application, make an order for such apportionment and application, and you will be liable for no further costs.

If you and all the other defendants [or if you and the plaintiff and all the other defendants] send such notice, but do not agree as to the apportionment and application of the said sum of £....., the hearing will be proceeded with as between you and such other defendants [or as between the plaintiff and yourself and such other defendants.]

In default of such notice being sent by you and by all the other defendants [or by the plaintiff and yourself and all the other defendants], the hearing will be proceeded with; and if no greater amount than the said sum of £..... is awarded as compensation, the parties who do not send such notice will be liable to be ordered to pay the costs incurred by the defendants, subsequent to the receipt by such parties of this notice, and also any costs incurred subsequent to the receipt of this notice by any parties who send notice of their willingness to accept the said sum of £..... in satisfaction of the compensation payable.

Dated this.....day of....., 190 ..

..... Clerk of the Court.

To the Plaintiff A.B. [or, to the Defendant, G.H.] (or as the case may be).

11.—NOTICE OF ACCEPTANCE OF WEEKLY SUM OFFERED, OR OF SUM PAID INTO COURT.

The Workers' Compensation Act, 1902.)

(Heading as in Summons.)

TAKE NOTICE—

That the plaintiff, accepts the weekly sum offered by the defendant in satisfaction of his claim [or that the plaintiff (or the defendant, G.H.) is willing to accept the sum of £....., paid into Court by the defendant, C.D., in satisfaction of the compensation payable.]

But the plaintiff applicant [or the said defendant, G.H.] will apply to the Court to include in its judgment an order directing the said defendant, C.D., to pay the costs properly incurred by the plaintiff [or the said defendant, G.H.] before the receipt of notice of the offer of the said weekly sum [or of notice of payment of the said sum of £.....into Court].

Dated this.....day of....., 190 ..

(Signed)

To the Clerk of the Court, and to the Defendant, C.D., and to the Plaintiff Applicant, A.B., and to the Defendants (naming them, as the case may be.) Plaintiff or Defendant.

12.—APPOINTMENT OF ASSESSORS.

The Workers' Compensation Act, 1902.

(Heading as in Form of Praecipe for Summons.)

The following person is hereby appointed as one of the Assessors:—

*.....

Dated at....., this.....day of....., 190 ..

.....Plaintiff. [or Defendant.]

To the Clerk of the Court.

CONSENT OF ASSESSOR.

I, †....., do hereby consent to act as an Assessor.

Dated at....., this..... day of....., 190 ..

* Insert name in full of person appointed. † Insert name, occupation, and address.

13.—JUDGMENT IN ACTION BY WORKER.

The Workers' Compensation Act, 1902.

In the Local Court of..... held at.....

Between A.B.,.....Plaintiff and C.D.,.....Defendant.

It is this day adjudged that the said C.D. do pay to the said A.B. the weekly sum of..... as compensation for personal injury caused to the said A.B., on the.....day of..... 190 .., by accident arising out of, and in the course of his employment as a worker employed by the said C.D., in [state nature of employment], such weekly payment to commence as from the.....day of....., 190 .., and to continue during the total or partial incapacity for work of the said A.B., or until the same shall be ended, diminished, increased, or redeemed in accordance with the provisions of the above-mentioned Act:

And it is further adjudged that the said C.D. do forthwith pay to the said A.B. the sum of £....., being the amount of such weekly payments calculated from the.....day of....., 190 .., until the.....day of....., 190 .., [the first Saturday or other usual pay day after the date of the judgment] and do thereafter pay the said sum of..... to the said A.B., on Saturday [or other usual pay day] in every week.

And it is further adjudged that the said C.D. do, within 14 days from the date hereof, pay to the Clerk of the Court, for the use of the said A.B., his costs of and incident to this action to be taxed.

Dated this.....day of....., 190 ..

By the Court,

.....Magistrate.Assessor.Assessor.

14.—JUDGMENT IN ACTION BY DEPENDANTS.

The Workers' Compensation Act, 1902.

In the Local Court of.....
held at.....
Between A.B.....Plaintiff
and
C.D.....Defendant.

It is this day adjudged that the said C.D. do pay the sum of £.....to the said A.B., the dependants of M.N., late of....., deceased, as compensation for the injury resulting to such dependants from the death of the said M.N., which took place on the.....day of....., 190 , from injury caused to the said M.N. on the.....day of....., 190 , by accident arising out of and in the course of his employment as a worker employed by the said E.F., in [state nature of employment].

And it is further adjudged that the persons hereinafter named are entitled to share in such compensation as dependants of the said M.N.; that is to say, J.B., the widow of the said A.B., and K.B., son, and L.B., daughter of the said A.B.

And it is further adjudged that the defendant, G.B., the father of the said A.B., is not entitled to share in such compensation as a dependant of the said M.N.

And it is further adjudged that the said sum of £.....be apportioned between the said J.B., K.B., and L.B., in the proportions following, that is to say:—

To or for the benefit of the said J.B. the sum of £....., to or for the benefit of the said K.B. the sum of £..... and to or for the benefit of the said L.B., the sum of £.....

And it is further adjudged that the said C.D., within fourteen days from the date hereof, do pay the said sum of £.....to the said E.F., the legal personal representative of the said M.N. [or if no legal personal representative, to the Clerk of the Court] for the use of the said J.B., and also within the said period do pay the said sum of £..... apportioned to or for the benefit of the said K.B., and also the sum of £..... apportioned to or for the benefit of the said L.B., to the Clerk of the Court; the said last-mentioned sums to be invested by and in the names of....., Post Office Savings Bank [or as the case may be] for the benefit of the said K.B. and L.B., and that the interest arising from such investment be from time to time, until further order, paid to the said J.B., to be by her applied for the maintenance, education, or benefit of the said K.B. and L.B. respectively.

And it is further adjudged that the said C.D., within fourteen days from the date hereof, do pay to the said A.B. his costs of and incident to this action to be taxed.

Dated this.....day of....., 190 .
By the Court,

.....Magistrate.
.....Assessor.
.....Assessor.

15.—JUDGMENT IN CASE OF APPLICATION FOR MEDICAL AND BURIAL EXPENSES.

The Workers' Compensation Act, 1902.

In the Local Court of.....
held at.....
Between A.B.....Plaintiff.
and
C.D. }Defendants.
and E.F. }

It is this day adjudged that the defendant do pay the sum of £.....for or towards the expenses of medical attendance on and the burial of M.N., late of....., deceased, who died on the.....day of....., 190 , from injury caused on the.....day of....., 190 , by accident arising from and in the course of the employment of the said M.N. as a worker employed by the said C.D. in [state nature of employment].

And it is further adjudged that the persons hereinafter named are entitled to share in such compensation, that is to say:—

The plaintiff in respect of charges amounting to £....., due to him for medical attendance on the said M.N., and the defendant E.F., in respect of charges amounting to £....., due to him for the burial of the said M.N.

And it is further adjudged that the defendant, C.D., within fourteen days from the date hereof, do pay the said sum of £..... to the Clerk of the Court, and that the said sum be apportioned between and paid to the said C.D. and E.F. in proportion to the amounts due to them respectively as aforesaid.

And it is further adjudged that the said C.D., within fourteen days from the date hereof, do pay to the plaintiff and the defendant, E.F., their respective costs of and incident to this action to be taxed.

Dated this.....day of....., 190 .

By the Court,
.....Magistrate.
.....Assessor.
.....Assessor.

16.—APPLICATION TO SUSPEND WEEKLY PAYMENTS.

The Workers' Compensation Act, 1902.

(Heading as in Judgment.)

TAKE NOTICE that I intend to apply to the Court on.....the.....day of....., 190 , at the hour of.....in the.....noon [on behalf of C.D., of.....] for an order suspending the weekly payments adjudged to you by judgment of the Court in this action, on the ground that you refuse to submit yourself to medical examination, as required by me [or by the said C.D.] in accordance with paragraph 5 of the Second Schedule to the Act [or that you obstruct the medical examination required by me, etc.], and for consequential directions, and for costs.

Dated this.....day of....., 190 .

(Signed)C.D.
[or Solicitor for C.D.]

To A.B., of....., and to Messrs....., his Solicitors.

17.—APPLICATION TO REVIEW OR REDEEM WEEKLY PAYMENTS.

The Workers' Compensation Act, 1902.

(Heading as in Judgment.)

TAKE NOTICE that I intend to apply to the Court on.....the.....day of....., 1900 , at the hour of.....in the.....noon, for an order reviewing [or to redeem the weekly payments payable under the judgment of the Court in this action, and that the same may be terminated [or diminished, or increased, or redeemed, as the case may be] on the grounds that [set out grounds of application concisely].

Dated this.....day of....., 190 .

(Signed)Worker
[or] Worker's Solicitor.
[or].....Employer.
(or) Employer's Solicitor.]

To A.B., of....., and Messrs....., his Solicitors [or to C.D., and to Messrs....., their Solicitors, as the case may be].