

**MINER'S PHTHISIS.**

16° GEO. V., No. XLII.

No. 42 of 1925.

**AN ACT to amend the Miner's Phthisis Act, 1922.**

[Assented to 31st December, 1925.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Miner's Phthisis Act Amendment Act, 1925*, and shall be read as one with the Miner's Phthisis Act, 1922, hereinafter referred to as the principal Act. Short title.

2. Section nine of the principal Act is amended as follows:— Amendment of sec. 9.

(1) In subsection two the word "unless" is substituted for the word "until" in the seventh line.

(2) Subsections are inserted as follows:—

(4a) If the Principal Medical Officer certifies in writing that a person whose name is registered is or has become unable to work at any suitable employment, compensation under subsection (2) shall cease to be payable, but such person shall be entitled to receive from the Department of Mines compensation not less than as prescribed by the scale of relief in force at the commencement of this Act under the rules of the Mine Workers Relief Fund, Incorporated.

- (4b) On the death of a person whose name is registered his dependants (if any) shall be entitled to receive from the Department of Mines compensation not less than as prescribed by the scale of relief in force at the commencement of this Act under the rules of the Mine Workers' Relief Fund, Incorporated.
- (4c) A person whose name is registered shall not have any right to compensation under this section, if such person is or becomes entitled to receive compensation under section seven of the Workers' Compensation Act, 1912-1924.
- (4d) The dependants of a person whose name is registered shall not, in the case of his death, have any right to compensation under this section if such dependants are entitled to receive compensation under section seven of the Workers' Compensation Act, 1912-1924.

3. A section is inserted in the principal Act as follows:—

9A. A person shall be deemed to be "engaged in mining operations" or "employed on, in, or about a mine at the commencement of this Act" within the meaning of those words in sections eight and nine hereof respectively, if he was so engaged or employed within three months before the commencement of this Act, notwithstanding that at such time he may have been temporarily out of employment.

Application of Act  
to persons em-  
ployed within  
three months.