

# AUSTRALIAN CAPITAL TERRITORY.

No. 12 of 1954.

## AN ORDINANCE

### To amend the Workmen's Compensation Ordinance 1951-1952, and for other purposes.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1947*, as follows:—

1.—(1.) This Ordinance may be cited as the *Workmen's Compensation Ordinance 1954*.\*

Short title and citation.

(2.) The *Workmen's Compensation Ordinance 1951-1952* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Workmen's Compensation Ordinance 1951-1954*.

2. Section six of the Principal Ordinance is amended by omitting from the definition of "workman" in sub-section (1.) the words "One thousand two hundred and fifty pounds" and inserting in their stead the words "Two thousand pounds".

Interpretation.

3. Section eleven of the Principal Ordinance is amended by omitting from sub-section (2.) the words "One hundred and fifty pounds" and inserting in their stead the words "Two hundred pounds".

Medical benefits.

4. Section twelve of the Principal Ordinance is amended by omitting from sub-section (1.) the words "One thousand seven hundred and fifty pounds" and inserting in their stead the words "Two thousand three hundred and fifty pounds".

Maximum compensation.

5. The First Schedule to the Principal Ordinance is amended—

First Schedule.

(a) by omitting from clause (i) of sub-paragraph (a) of paragraph 1 the words "One thousand five hundred pounds" and "Seventy-five pounds" and inserting in their stead the words "Two thousand three hundred and fifty pounds" and "One hundred pounds", respectively;

\* Notified in the *Commonwealth Gazette* on 3rd June, 1954.

- (b) by omitting from clause (iii) of sub-paragraph (a) of paragraph 1 the words "Fifty pounds" and inserting in their stead the words "Sixty pounds";
- (c) by omitting from sub-paragraph (b) of paragraph 1 the words "Six pounds" and inserting in their stead the words "Eight pounds fifteen shillings";
- (d) by omitting from clause (i) of sub-paragraph (b) of paragraph 1 the words "One pound fifteen shillings" and inserting in their stead the words "Two pounds five shillings";
- (e) by omitting from clause (ii) of sub-paragraph (b) of paragraph 1 the words "Fifteen shillings" and inserting in their stead the words "One pound";
- (f) by omitting from clause (i) of sub-paragraph (c) of paragraph 1 the words "Six pounds" and inserting in their stead the words "Eight pounds fifteen shillings";
- (g) by omitting from clause (ii) of sub-paragraph (a) of paragraph 2 the words "Two hundred pounds" and inserting in their stead the words "Four hundred pounds"; and
- (h) by omitting from clause (iii) of sub-paragraph (b) of paragraph 2 the words "Four pounds ten shillings" and "Six pounds" and inserting in their stead the words "Six pounds ten shillings" and "Eight pounds fifteen shillings", respectively.

Second  
Schedule.

6. The Second Schedule to the Principal Ordinance is repealed and the following Schedule inserted in its stead:—

SECOND SCHEDULE.

Section 10.

COMPENSATION FOR SPECIFIED INJURIES.

Nature of Injury.	Amount Payable.		
	£	s.	d.
Loss of both eyes .. .. .	2,350	0	0
Loss of an only useful eye, the other being blind or absent ..	2,350	0	0
Loss of one eye, with serious diminution of the sight of the other..	1,762	10	0
Loss of one eye .. .. .	940	0	0
Loss of hearing .. .. .	1,645	0	0
Complete deafness of one ear .. .. .	470	0	0
Loss of both hands .. .. .	2,350	0	0
Loss of right arm or greater part of right arm .. .. .	1,880	0	0
Loss of left arm or greater part of left arm .. .. .	1,692	0	0
Loss of lower part of right arm, right hand or five fingers of right hand .. .. .	1,645	0	0
Loss of lower part of left arm, left hand or five fingers of left hand..	1,480	10	0

## SECOND SCHEDULE—continued.

Nature of Injury.	Amount Payable.	
	£	s. d.
Loss of right thumb .. .. .	705	0 0
Loss of left thumb .. .. .	634	10 0
Loss of right forefinger .. .. .	470	0 0
Loss of left forefinger .. .. .	423	0 0
Loss of right middle finger .. .. .	376	0 0
Loss of left middle finger .. .. .	352	10 0
Loss of right ring finger .. .. .	329	0 0
Loss of left ring finger .. .. .	305	10 0
Loss of right little finger .. .. .	305	10 0
Loss of left little finger .. .. .	282	0 0
Loss of total movement of joint of right thumb .. .. .	329	0 0
Loss of total movement of joint of left thumb .. .. .	305	10 0
Loss of distal phalanx or joint of right thumb .. .. .	376	0 0
Loss of distal phalanx or joint of left thumb .. .. .	352	10 0
Loss of portion of terminal segment of right thumb involving one-third of its flexor surface without loss of distal phalanx or joint .. .. .	329	0 0
Loss of portion of terminal segment of left thumb involving one-third of its flexor surface without loss of distal phalanx or joint .. .. .	305	10 0
Loss of two phalanges or joints of right forefinger .. .. .	282	0 0
Loss of two phalanges or joints of left forefinger .. .. .	258	10 0
Loss of two phalanges or joints of right middle or ring finger .. .. .	258	10 0
Loss of two phalanges or joints of left middle or ring finger .. .. .	235	0 0
Loss of two phalanges or joints of right little finger .. .. .	235	0 0
Loss of two phalanges or joints of left little finger .. .. .	211	10 0
Loss of distal phalanx or joint of right forefinger .. .. .	235	0 0
Loss of distal phalanx or joint of left forefinger .. .. .	211	10 0
Loss of distal phalanx or joint of other finger of right hand .. .. .	188	0 0
Loss of distal phalanx or joint of other finger of left hand .. .. .	169	0 0
Loss of hand and foot .. .. .	2,350	0 0
Loss of both feet .. .. .	2,350	0 0
Loss of leg above knee .. .. .	1,762	10 0
Loss of leg below knee .. .. .	1,527	10 0
Loss of foot .. .. .	1,410	0 0
Loss of great toe .. .. .	470	0 0
Loss of any other toe .. .. .	188	0 0
Loss of two phalanges or joints of any other toe .. .. .	150	0 0
Loss of phalanx or joint of great toe .. .. .	235	0 0
Loss of phalanx or joint of any other toe .. .. .	141	0 0

7.—(1.) A policy of insurance against liability under the Principal Ordinance, in force immediately before the commencement of this Ordinance, shall have effect during the unexpired balance of the currency of the policy as if it applied to liability under the Principal Ordinance as amended by this Ordinance.

Existing policies of insurance.

(2.) An employer to whom any such policy of insurance has been issued is liable to pay to the insurer, in respect of the additional liability which he may incur under this Ordinance, additional premium for the period of the unexpired balance of the currency of the policy equal to the difference between the premium for that period at the rate of premium payable under the policy and the premium for that period at the rate which would have been payable if the policy had been issued upon the date of commencement of this Ordinance.

(3.) Where an insurer under a policy of insurance effected before the commencement of this Ordinance would have been liable, if this Ordinance had not been made, to indemnify a person against his liability under the Principal Ordinance arising out of an injury incurred or a disease contracted before the commencement of this Ordinance, that insurer is liable to indemnify that person against liability under the Principal Ordinance, as amended by this Ordinance, arising out of that injury or the contraction of that disease.

Adjustment of  
weekly  
payments  
under Principal  
Ordinance.

8.—(1.) Where, at the date of commencement of this Ordinance, a person is receiving, or is entitled to receive, weekly payments in accordance with the First Schedule to the Principal Ordinance, he is, from and including that date, entitled to receive weekly payments in accordance with the Principal Ordinance as amended by this Ordinance.

(2.) Where, before the date of commencement of this Ordinance, a workman sustained an injury or contracted a disease in respect of which weekly payments in accordance with the First Schedule to the Principal Ordinance would have been payable at that date if he had been incapacitated for work at that date, and he is not, at that date, so incapacitated, but after that date he becomes incapacitated for work as a result of the injury or disease, weekly payments in respect of that incapacity shall be in accordance with the Principal Ordinance as amended by this Ordinance.

(3.) Where, after the date of commencement of this Ordinance, death results from an injury or a disease which was sustained or contracted before that date and in respect of which compensation was payable under the Principal Ordinance, compensation shall be paid in respect of that death in accordance with the Principal Ordinance as amended by this Ordinance.

(4.) Where, at the date of commencement of this Ordinance, a workman is receiving, or is entitled to receive, weekly payments in accordance with the First Schedule to the Principal Ordinance in respect of an injury or injuries sustained or a disease contracted before that date, the provisions of section twelve of the Principal Ordinance as amended by this Ordinance apply in relation to the injury, injuries or disease.

(5.) Where, before the date of commencement of this Ordinance, a workman sustained an injury or contracted a disease—

- (a) which, after that date, results in an injury specified in the Second Schedule to the Principal Ordinance as amended by this Ordinance; and
- (b) in respect of which compensation would have been payable under the Principal Ordinance if the injury referred to in the last preceding paragraph had resulted before that date,

the amount of compensation payable in respect of that injury is the amount specified in the second column of the Second Schedule to the Principal Ordinance as amended by this Ordinance opposite the reference to the injury in the first column.

Dated this twenty-first day of May, 1954.

W. J. SLIM

Governor-General.

By His Excellency's Command,

W. S. KENT HUGHES

Minister of State for the Interior.