

AUSTRALIAN CAPITAL TERRITORY

WORKMEN'S COMPENSATION ORDINANCE (NO. 3) 1969

EXPLANATORY MEMORANDUM

No. 18 of 1969

Instances have arisen in the Australian Capital Territory where employees have, owing to the insolvency of the employers, had to forego common law claims for damages arising from industrial accidents caused through the negligence of their employers.

The proposed Workmen's Compensation Ordinance will require all employers in the Territory to take out and maintain in force a policy of insurance or indemnity for an amount of at least fifty thousand dollars in respect of their common law liability for any injury to their workmen.

Provision will also be made for claims to be made against the nominal insurer where the liability of the employer is not covered by insurance or a judgment remains unsatisfied.

Where there is evidence of collusive or fraudulent agreements between an employer and an injured employee relating to the payment of compensation to the employee, the nominal insurer will be entitled to apply to the Supreme Court to set aside such agreements and the Court will be empowered to do so.

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(Minister's Initials)