

AUSTRALIAN CAPITAL TERRITORY

WORKMEN'S COMPENSATION ORDINANCE 1952.

EXPLANATORY MEMORANDUM

No. 4 of 1952

The principal object of this ordinance is to bring the benefits into line with those now provided by the Commonwealth Employees Compensation Act. Certain other amendments which were made to the Commonwealth Act when it was amended last year have been included, viz:

(1) An amendment of the definitions so that the term "medical treatment" now covers all that was previously included under the terms "ambulance service," "hospital treatment," and "medical and surgical treatment." This is a drafting amendment designed for simplification, the scope of treatment being unaltered. There are also consequential amendments in sections 8 and 11 and in the Schedules.

(2) Section 8 of the Ordinance is being amended to correct an anomalous position which has arisen under the provision for cover in respect of an accident to an employee while travelling to or from the place of employment. The provision as it stands would cover fortuitous or casual visits to the place of employment. It is now being amended to relate only to journeys to or from, and therefore related to, the employment itself.

(3) In section 22, the words "but shall not be entitled to retain in full both damages and amounts received under this Ordinance" are omitted from paragraph (a) as unnecessary and in conflict with the provisions of paragraph (b) which provides for repayment to the employer of amounts received from another source. A further subsection is added to ensure that the cost of medical etc. treatment is recoverable from the third party.