

## **WORKMEN'S COMPENSATION (BROKEN HILL) AMENDMENT ACT.**

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**Act No. 30, 1942.**

An Act to provide for compensation for certain persons under the Workmen's Compensation (Broken Hill) Act, 1920-1942; to amend that Act in certain respects; and for purposes connected therewith. [Assented to, 23rd December, 1942.]

George VI.  
No. 30, 1942.

**BE**

**Workmen's Compensation (Broken Hill)  
Amendment Act.**

No. 30, 1942.

**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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title,  
citation  
and  
commencement.

**1.** (1) This Act may be cited as the "Workmen's Compensation (Broken Hill) Amendment Act, 1942."

(2) This Act shall be read and construed with the Workmen's Compensation (Broken Hill) Act, 1920-1942, which Act is in this Act referred to as the Principal Act.

(3) The Workmen's Compensation (Broken Hill) Act, 1920, as amended by subsequent Acts and by this Act, may be cited as the Workmen's Compensation (Broken Hill) Acts, 1920-1942.

(4) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Certain  
persons  
entitled to  
compensa-  
tion.

**2.** (1) The person named in Part I and the dependents of the persons named in Part II of the list of twenty-seven cases filed by the joint committee with the Workers' Compensation Commission shall respectively be deemed to be entitled to receive compensation in accordance with any award or variation thereof that may be made by the joint committee (which award or variation the joint committee is hereby authorised to make as if the person concerned were a mine worker or a "hard-luck case" or a mine employee or a dependent of a mine worker or a "hard-luck case" or a mine employee, as the case may be) until such time as the payments are terminated by the joint committee in accordance with the provisions of the Principal Act.

(2) Any award made by the joint committee in pursuance of subsection one of this section shall be operative as on and from the date such award is made by the joint committee.

(3) A mine worker or a "hard-luck case" or a mine employee who is in receipt of compensation at the commencement of this Act in respect of any child shall be entitled to continue to receive such compensation in respect of such child in accordance with the provisions of the Principal Act while any such child is under the school leaving age.

**No. 30, 1942.**

Amendment  
of Act No. 36,  
1920.  
Sec. 11.  
(Provision  
as to com-  
pensation.)

**3. The Principal Act is amended—**

- (a) (i) by omitting from paragraph (a) of section eleven the words "ceasing employment" and by inserting in lieu thereof the words "the date of the last shift worked by him";
- (ii) by omitting from the same paragraph the words "ceasing such employment" and by inserting in lieu thereof the words "such date";
- (b) (i) by inserting next after paragraph three of Schedule. Part II of the Schedule the following new paragraph:—

3A. Upon the death of a beneficiary (being a mine worker in respect of whose disablement the joint committee has made an award under this scheme) his dependents, as prescribed, shall be entitled to compensation under this scheme.
- (ii) by inserting at the end of subparagraph (g) of paragraph six the words—

In determining the amount to be allowed in respect of funeral expenses the joint committee shall not take into account any sum paid or payable out of any provident or like fund or by way of benefit from any friendly society, benefit society or trade union.
- (iii) by inserting in subparagraph (b) of paragraph forty-seven of Part VI of the Schedule after the words "required under" the words "this Act or";
- (iv) by inserting in subparagraph (a) of paragraph forty-nine of the Schedule after the word "provided" the words "or required under this Act or this scheme";
- (v) by inserting in the same paragraph after the words "imposed on him by" the words "this Act or."