

WORKERS' COMPENSATION (AMENDMENT) ACT.

Act No. 9, 1947.

An Act to amend the Workers' Compensation Act, 1926-1946, in certain respects; and for purposes connected therewith. [Assented to, 28th March, 1947.]

George VI.
No. 9, 1947.

BE 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:—

1. (1) This Act may be cited as the "Workers' Compensation (Amendment) Act, 1947."

Short title
and citation.

Workers' Compensation (Amendment) Act.**No. 9, 1947.**

(2) The Workers' Compensation Act, 1926, as amended by subsequent Acts and by this Act, may be cited as the Workers' Compensation Act, 1926-1947.

Amendment
of Act No.
15, 1926, s. 7.

2. The Workers' Compensation Act, 1926-1946, is amended—

(Liability
of em-
ployers to
workers for
injuries.)

- (a) by omitting paragraph (d) of subsection one of section seven;
- (b) by inserting next after the same subsection the following new subsection:—

(1A) Where an employer has a place of employment in New South Wales or is for the time being present in New South Wales and there employs a worker, whose employment under his contract of service or apprenticeship with such employer is not wholly carried out in New South Wales and is in part carried out in any other part of the Commonwealth of Australia or territory under the authority of the Commonwealth then, if such worker while in any such part of the Commonwealth or territory under the authority of the Commonwealth receives injury under circumstances which had the injury been received in New South Wales would entitle him to compensation in accordance with this Act, such worker (and in the case of the death of the worker, his dependants) shall receive compensation in accordance with this Act, and the provisions of this Act shall apply, *mutatis mutandis*, to and in respect of such injury:

Provided that—

- (a) compensation shall not be payable pursuant to this subsection if in respect of such injury the worker has (and in the case of the death of the worker, his dependants have) received workers' compensation in any part of the Commonwealth of Australia (other than New South Wales) or territory under the authority of the Commonwealth or obtained judgment against his employer independently of this Act;

(b)

- (b) if the worker receives compensation pursuant to this subsection in respect of such injury and subsequently in respect of such injury receives workers' compensation in any part of the Commonwealth of Australia (other than New South Wales) or territory under the authority of the Commonwealth or obtains judgment against his employer independently of this Act such employer shall be entitled to recover from such worker the amount of compensation paid by him pursuant to this subsection.
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