

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

**Act No. 26, 1950.**

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920-1948, in certain respects; and for purposes connected therewith. [Assented to, 16th May, 1950.]

George VI,  
No. 26, 1950.

**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:—

**1.** (1) This Act may be cited as the "Workmen's Compensation (Broken Hill) Amendment Act, 1950." Short title, citation and commencement.

(2) 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) Act, 1920-1950.

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

**2.** (1) The Workmen's Compensation (Broken Hill) Act, 1920-1948, is amended— Amendment of Act No. 36, 1920.

(a) by inserting next after section sixteen the following new section:— New sec. 17.

17. (1) Any person who is in receipt of compensation under this Act and who— Nutrition allowance.

(a) has been certified by the medical authority to be suffering from pneumoconiosis and/or tuberculosis reasonably attributable to his employment in a Broken Hill mine, or

(b) being a mine worker or "hard-luck" case was at the commencement of the Workers' Compensation (Amendment) Act,

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Act, 1929, in receipt of compensation for and was thereafter certified by the medical authority to be suffering from pneumoconiosis and/or tuberculosis, shall, while resident in the county of Yanco-winna or the township of Menindee, be entitled to be paid, in addition to any compensation payable to him under this Act, a nutrition allowance of fifteen shillings per week.

(2) Any amount necessary to provide weekly payments of nutrition allowance to any person not being a mine employee shall be levied by the joint committee in pursuance of the scheme contained in the Schedule to this Act.

(3) Any amount necessary to provide weekly payments of nutrition allowance to any mine employee shall be paid in the same manner as compensation awarded by the joint committee to a mine employee is paid under section nine of this Act and the provisions of subsections four, five, six, seven and eight of that section shall apply accordingly.

For the purposes of such application any reference in those subsections to "compensation awarded by the joint committee" or "compensation" shall be read and construed as a reference to the nutrition allowance payable under this section.

**Schedule.  
Par. 6.**

(b) by inserting after the word "that" in the first proviso to paragraph six of Part II of the Schedule the words "except to the extent provided for in paragraph 6A of this scheme";

(c) by inserting next after paragraph six of Part II of the Schedule the following new paragraph:—

6A. (a) In addition to the rates of compensation payable under paragraph 6 of this scheme, the persons specified in subparagraph (b) of this paragraph shall be eligible to be paid additional amounts of compensation in accordance with that subparagraph.

(b)

**Schedule.  
New par.  
6A.**

(b) The additional amounts of compensation shall, subject to any deductions required to be made by subparagraph (c) of this paragraph, be as follows:—

	Per week.
	£ s. d.
(i) Single man or widower ..	1 5 0
(ii) Married man ..	1 5 0
Additional payment in respect of wife ..	10 0
(iii) Each widow until re-marriage ..	12 6

(c) The deductions to be made from any weekly additional amount of compensation payable to any person under this paragraph shall be—

- (i) the amount per week of any age, invalid or widow's pension which is payable to, or which in the opinion of the joint committee would upon application therefor be payable to, such person and the spouse (if any) of such person under the Social Services Consolidation Act 1947-1949 of the Parliament of the Commonwealth, and
- (ii) the amount per week of any pension or benefit which is payable to, or which in the opinion of the joint committee would upon application therefor be payable to, such person and the spouse (if any) of such person under the Broken Hill Mine Employees' Pension Fund or any Staff Provident Fund.

(d) Where any person is eligible for or has been awarded an additional amount of compensation under this paragraph he shall forthwith upon being requested by the joint committee so to do make application for an age, invalid or widow's pension under the Social Services Consolidation Act 1947-1949 of the Parliament of the Commonwealth or for any pension

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pension or benefit to which he is entitled under the Broken Hill Mine Employees' Pension Fund or any Staff Provident Fund.

Where the joint committee determines that any such person has, without reasonable cause or excuse, failed to comply with any of the provisions of this subparagraph, no additional amounts of compensation shall be payable under this paragraph to such person in respect of the period during which such failure continues or such less period as the joint committee may fix.

(2) The amendments made by subsection one of this section shall be deemed to extend to, and from the commencement of this Act apply in respect of the persons referred to in those amendments who are in receipt of compensation under the Workmen's Compensation (Broken Hill) Act, 1920-1948, as well as to the persons so referred to who become entitled to compensation after such commencement.

(3) (a) Notwithstanding anything contained in this section, any additional amount of compensation or nutrition allowance which is payable by virtue of the operation of this section in respect of any mine worker who was on or before the first day of May, one thousand nine hundred and nineteen, last employed by Amalgamated Zinc (De Bavay's) Limited, or by Sulphide Corporation, Limited, shall be paid by the joint committee out of the amount paid to the joint committee under paragraph twenty-two of the Schedule to the Workmen's Compensation (Broken Hill) Act, 1920-1948, by Amalgamated Zinc (De Bavay's) Limited, or by Sulphide Corporation, Limited, as the case may be.

(b) Any additional amount of compensation or nutrition allowance payable under the Workmen's Compensation (Broken Hill) Act, 1920-1948, as amended by this section, in respect of any such mine worker, shall, when the amount paid to the joint committee as referred to in paragraph (a) of this subsection is exhausted, be paid out of the fund established under Part III of the Schedule to the said Act.