

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

Act No. 62, 1951.

An Act to amend the Workmen's Compensation (Broken Hill) Act, 1920-1950, in certain respects; and for purposes connected therewith. [Assented to, 28th December, 1951.]

George VI.  
No. 62, 1951.

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 "Workmen's Compensation (Broken Hill) Amendment Act, 1951." Short title and citation.

(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, 1920-1951.

**2.**

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Amend-  
ment ofAct No. 36,  
1920.

Sec. 8.

(Medical  
authority.)

2. (1) The Workmen's Compensation (Broken Hill) Act, 1920-1950, is amended—

- (a) (i) by inserting in subsection one of section eight after the words "a legally qualified medical practitioner" where thirdly and fourthly occurring the words "or legally qualified medical practitioners";
- (ii) by inserting in the same subsection after the word "deputy" where firstly and secondly occurring the words "or deputies";
- (iii) by inserting in the same subsection after the words "his deputy" the words "or if more than one deputy of such member has been appointed, the deputy designated by the chairman";

Schedule.  
Par. 3.

- (b) by omitting from paragraph three of Part II of the Schedule the words "needs basic wage assessed on the index number for Broken Hill contained in the Court's series of all items retail price index numbers published by or by the direction of the Commonwealth Court of Conciliation and Arbitration for the next preceding calendar quarter, with the fixed loading addition determined in any judgment of the Commonwealth Court of Conciliation and Arbitration delivered either before or after the commencement of the Industrial Arbitration (Amendment) Act, 1937, as being applicable for the time being in relation to the needs basic wage so assessed;" and by inserting in lieu thereof the words "basic wage for adult males assessed on the index number for Broken Hill contained in the Retail Price Index Numbers published by or by the direction of the Commonwealth Court of Conciliation and Arbitration for the next preceding calendar quarter";

Schedule.  
Par. 6.

- (c) (i) by omitting from subparagraph (e) of paragraph six of Part II of the Schedule the words "needs basic wage assessed on the index

index number for Broken Hill contained in No. 62, 1951. the Court's series of all items retail price index numbers published by or by the direction of the Commonwealth Court of Conciliation and Arbitration for the next preceding calendar quarter, with the fixed loading addition determined in any judgment of that Court delivered either before or after the commencement of the Industrial Arbitration (Amendment) Act, 1937, as being applicable for the time being in relation to the needs basic wage so assessed" and by inserting in lieu thereof the words "basic wage for adult males assessed on the index number for Broken Hill contained in the Retail Price Index Numbers published by or by the direction of the Commonwealth Court of Conciliation and Arbitration for the next preceding calendar quarter";

- (ii) by omitting from subparagraph (g) of the same paragraph the figures and symbol "£20" and by inserting in lieu thereof the figures and symbol "£60";
- (d) (i) by omitting subparagraph (b) of paragraph Schedule. 6A of Part II of the Schedule and by Par. 6A. inserting in lieu thereof the following subparagraph:—

(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 ..	2 0 0
(ii) Married man ..	2 5 0
Additional payment in respect of wife ..	1 5 0
(iii) Each widow until re-marriage ..	1 10 0
	(ii)

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- (ii) by amitting paragraph (ii) of subparagraph (c) of the same paragraph;
- (iii) by omitting subparagraph (d) of the same paragraph and by inserting in lieu thereof the following subparagraph:—
  - (d) Any person who applies for or has been awarded an additional amount of compensation under this paragraph shall furnish to the joint committee, in such form as the joint committee may require, full information as to his income and property and the income and property of his dependents.

The information required by this subparagraph to be furnished shall be furnished—

- (i) in the case of a person who at the commencement of the Workmen's Compensation (Broken Hill) Amendment Act, 1951, was receiving an additional amount of compensation pursuant to subparagraph (b) of this paragraph, as enacted immediately before such commencement, within three months after such commencement;
- (ii) in the case of a person who after such commencement applies for an additional amount of compensation under this paragraph, at the time of such application,

and, in either such case, thereafter at such intervals, not exceeding twelve months, as the joint committee may determine.

Where in the opinion of the joint committee such person is eligible for an age, invalid or widow's pension under the Social Services Consolidation Act 1947-1951 of the Parliament of the Commonwealth, or to

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to a greater amount of any such pension than he is receiving, the joint committee shall direct him to apply for such pension or such greater amount.

Any person who fails to comply with any of the provisions of this paragraph, or with any direction of the joint committee given pursuant thereto, shall not, while such failure continues and is in the opinion of the joint committee without reasonable cause or excuse, be eligible to be paid any additional amount of compensation under this paragraph.

(2) (a) The amendments made by subparagraphs (i) and (ii) of paragraph (d) of subsection one of this section shall be deemed to have commenced upon the third day of November, one thousand nine hundred and fifty-one.

(b) The amendments made by subparagraphs (i) and (ii) of paragraph (d) of subsection one of this section shall be deemed to extend to, and from the commencement of such amendments apply in respect of all persons who were immediately before such commencement in receipt of compensation under the Workmen's Compensation (Broken Hill) Act, 1920-1950, as well as to the persons who become entitled to compensation thereunder after such commencement.

(3) (a) Notwithstanding anything contained in this section, any additional amount of compensation 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, 1920-1950, by Amalgamated Zinc (De Bavay's) Limited, or by Sulphide Corporation, Limited, as the case may be.

(b)

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(b) Any additional amount of compensation payable under the Workmen's Compensation (Broken Hill) Act, 1920-1950, 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.

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