

WORKMEN'S COMPENSATION (AMENDMENT) ACT.

Act No. 45, 1920.

George V, An Act to amend and extend the Workmen's Com-
No. 45. pensation Act, 1916; and for other purposes.
[Assented to, 31st December, 1920.]

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:—

Short title
and construc-
tion.

1. This Act may be cited as the "Workmen's Compensation (Amendment) Act, 1920," and shall be construed with the Workmen's Compensation Act, 1916, hereinafter called the Principal Act.

Amendment
of Principal
Act, s. 4.

2. Section four of the Principal Act is amended by omitting the definition of "workman" therein and substituting therefor the following:—

"Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing, but does not include—

- (a) any person employed whose remuneration exceeds five hundred and twenty-five pounds per year; or
- (b) an outworker; or
- (c) a member of the police force; or

(d)

- (d) a person whose employment is casual and who is employed otherwise than for the purposes of the employer's trade or business; or
- (e) a member of the employer's family, dwelling in his house.

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Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

- 3.** Paragraph one (b) of Schedule One is amended—
- (a) by omitting the words "fifty per cent." and substituting therefor the words "sixty-six and two-thirds per cent.";
- (b) by omitting the words "two pounds" and substituting therefor the words "three pounds."

Amendment
of *ibid.*,
Schedule
One (1) (b).

- 4.** Paragraph two of Schedule One is amended by the omission of the words "or the casual nature of the employment" in sub-paragraph (a) and by adding at the end of the paragraph the following new sub-paragraph:—

Amendment
of *ibid.*,
Schedule
One (2).

- (c) The average weekly earnings of casual workmen shall be deemed to be not less than the weekly living wages declared by the New South Wales Board of Trade to be payable in the State or the area thereof in which the injury by accident occurs, and the compensation shall be computed and assessed accordingly:

Provided that until a separate declaration is made by the Board of Trade as to the living wages to be paid to persons engaged in rural occupations, the living wages for other adult males or females for the time being in force in the area in which the injury by accident occurs shall for the purpose of the computation and assessment of compensation be deemed to be the living wages paid to workmen engaged in such occupations. Should a beneficiary under this Act leave New South Wales he shall not forfeit his rights.

5.

Fair Rents (Amendment) Act.

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Amendment
of Principal
Act, Schedule
One (16).

5. The proviso to paragraph sixteen of Schedule One is amended as shown hereunder—

- (a) by omitting the words “fifty per cent.” and substituting therefor the words “sixty-six and two-thirds per cent.”;
- (b) by omitting the words “two pounds” and substituting therefor the words “three pounds.”

Amendment
of *ibid.*,
Schedule
Two (2).

6. Paragraph two of Schedule Two is amended by adding the following words at the end of the paragraph:—“or by a stipendiary or a police magistrate authorised by the Attorney-General to exercise the powers of a judge of the said court under the provisions of the Principal Act.”
