

# AUSTRALIAN CAPITAL TERRITORY.

No. 20 of 1959.

## AN ORDINANCE

To amend the *Workmen's Compensation Ordinance 1951-1956*, as amended by the *Workmen's Compensation Ordinance 1959*.

THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1959*.

Dated this eighteenth day of December, 1959.

W. J. SLIM  
Governor-General.

By His Excellency's Command,

GORDON FREETH  
Minister of State for the Interior.

### WORKMEN'S COMPENSATION ORDINANCE (No. 2) 1959.

1.—(1.) This Ordinance may be cited as the *Workmen's Compensation Ordinance (No. 2) 1959*.<sup>\*</sup> Short title  
and citation.

(2.) The *Workmen's Compensation Ordinance 1951-1956*,<sup>†</sup> as amended by the *Workmen's Compensation Ordinance 1959*,<sup>‡</sup> is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the *Workmen's Compensation Ordinance 1959* is amended by omitting sub-section (3.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Workmen's Compensation Ordinance 1951-1959*.

2. Section eleven of the Principal Ordinance is amended by omitting from sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Three hundred and fifty pounds". Medical  
benefits.

\* Notified in the *Commonwealth Gazette* on 23rd December, 1959.

† Ordinance No. 2, 1951, as amended by No. 4, 1952; No. 12, 1954; and No. 1, 1956.

‡ Ordinance No. 12, 1959.

**Maximum  
compensation.**

**3.** Section twelve of the Principal Ordinance is amended by omitting from sub-section (1.) the words "Two thousand three hundred and fifty pounds" and inserting in their stead the words "Three thousand pounds".

**First Schedule.**

**4.** The First Schedule to the Principal Ordinance is amended—

- (a) by omitting from clause (i) of sub-paragraph (a) of paragraph 1 the words "Two thousand three hundred and fifty pounds" and inserting in their stead the words "Three thousand pounds";
- (b) by omitting from clause (ii) of sub-paragraph (a) of paragraph 1 the words "injury to the dependants" and inserting in their stead the words "loss to the dependants resulting from the cessation of the earnings of the workman";
- (c) by omitting from sub-paragraph (b) of paragraph 1 the words "Eight pounds fifteen shillings" and inserting in their stead the words "Ten pounds";
- (d) by omitting from clause (i) of sub-paragraph (b) of paragraph 1 the words "Two pounds five shillings" and inserting in their stead the words "Two pounds ten shillings";
- (e) by omitting from clause (ii) of sub-paragraph (b) of paragraph 1 the words "One pound" and inserting in their stead the words "One pound two shillings and sixpence";
- (f) by omitting from clause (i) of sub-paragraph (c) of paragraph 1 the words "Eight pounds fifteen shillings" and inserting in their stead the words "Ten pounds";
- (g) by omitting from clause (iii) of sub-paragraph (b) of paragraph 2 the words "Six pounds ten shillings" and "Eight pounds fifteen shillings" and inserting in their stead the words "Seven pounds five shillings" and "Ten pounds", respectively; and
- (h) by inserting in paragraph 5, after the word "accident", the words "or has made a claim for compensation under this Ordinance for an injury".

5. The Second Schedule to the Principal Ordinance is repealed and the following Schedule inserted in its stead:—

Second  
Schedule.

THE SECOND SCHEDULE.

Section 10.

COMPENSATION FOR SPECIFIED INJURIES.

Nature of Injury.	Amount Payable.	
	£	s. d.
Loss of both eyes .. .. .	3,000	0 0
Loss of an only useful eye, the other being blind or absent ..	3,000	0 0
Loss of one eye, with serious diminution of the sight of the other ..	2,250	0 0
Loss of one eye .. .. .	1,200	0 0
Loss of hearing .. .. .	2,100	0 0
Complete deafness of one ear .. .. .	600	0 0
Loss of both hands .. .. .	3,000	0 0
Loss of right arm or greater part of right arm .. .. .	2,400	0 0
Loss of left arm or greater part of left arm .. .. .	2,160	0 0
Loss of lower part of right arm, right hand or five fingers of right hand	2,100	0 0
Loss of lower part of left arm, left hand or five fingers of left hand	1,890	0 0
Loss of right thumb .. .. .	900	0 0
Loss of left thumb .. .. .	810	0 0
Loss of right forefinger .. .. .	600	0 0
Loss of left forefinger .. .. .	540	0 0
Loss of right middle finger .. .. .	480	0 0
Loss of left middle finger .. .. .	450	0 0
Loss of right ring finger .. .. .	420	0 0
Loss of left ring finger .. .. .	390	0 0
Loss of right little finger .. .. .	390	0 0
Loss of left little finger .. .. .	360	0 0
Loss of total movement of joint of right thumb .. .. .	420	0 0
Loss of total movement of joint of left thumb .. .. .	390	0 0
Loss of distal phalanx or joint of right thumb .. .. .	480	0 0
Loss of distal phalanx or joint of left thumb .. .. .	450	0 0
Loss of portion of terminal segment of right thumb involving one-third of its flexor surface without loss of distal phalanx or joint	420	0 0
Loss of portion of terminal segment of left thumb involving one-third of its flexor surface without loss of distal phalanx or joint	390	0 0
Loss of two phalanges or joints of right forefinger .. .. .	360	0 0
Loss of two phalanges or joints of left forefinger .. .. .	330	0 0
Loss of two phalanges or joints of right middle or ring finger ..	330	0 0
Loss of two phalanges or joints of left middle or ring finger ..	300	0 0
Loss of two phalanges or joints of right little finger .. .. .	300	0 0
Loss of two phalanges or joints of left little finger .. .. .	270	0 0
Loss of distal phalanx or joint of right forefinger .. .. .	300	0 0
Loss of distal phalanx or joint of left forefinger .. .. .	270	0 0
Loss of distal phalanx or joint of other finger of right hand ..	240	0 0
Loss of distal phalanx or joint of other finger of left hand ..	216	0 0
Loss of hand and foot .. .. .	3,000	0 0
Loss of both feet .. .. .	3,000	0 0
Loss of leg above knee .. .. .	2,250	0 0
Loss of leg below knee .. .. .	1,950	0 0
Loss of foot .. .. .	1,800	0 0
Loss of great toe .. .. .	600	0 0
Loss of any other toe .. .. .	240	0 0
Loss of two phalanges or joints of any other toe .. .. .	192	0 0
Loss of phalanx or joint of great toe .. .. .	300	0 0
Loss of phalanx or joint of any other toe .. .. .	180	0 0

Existing  
policies  
of insurance.

6.—(1.) A policy of insurance against liability under the Principal Ordinance, in force immediately before the commencement of this Ordinance, has effect during the unexpired balance of the currency of the policy as if it applied to liability under the Principal Ordinance as amended by this Ordinance.

(2.) An employer to whom any such policy has been issued is liable to pay to the insurer, in respect of the additional liability which he may incur as a result of the amendments to the Principal Ordinance effected by this Ordinance, additional premium for the period of the unexpired balance of the currency of the policy, being additional premium equal to the difference between the premium for that period at the rate of premium payable under the policy and the premium for that period at the rate that would have been payable if the policy had been issued, for the purposes of the Principal Ordinance as amended by this Ordinance, upon the date of commencement of this Ordinance.

(3.) Where an insurer under a policy of insurance effected before the commencement of this Ordinance would have been liable, if this Ordinance had not been made, to indemnify a person against his liability under the Principal Ordinance arising out of an injury sustained or a disease contracted before the commencement of this Ordinance, the insurer is liable to indemnify the person against liability under the Principal Ordinance, as amended by this Ordinance, arising out of the injury or the contracting of the disease.

Adjustment  
of weekly  
payments, &c.,  
under  
Principal  
Ordinance.

7.—(1.) Where, immediately before the date of commencement of this Ordinance, a person was receiving or was entitled to receive, weekly payments in accordance with the First Schedule to the Principal Ordinance, he is, from and including that date, entitled to receive weekly payments in accordance with the Principal Ordinance as amended by this Ordinance.

(2.) Where, before the date of commencement of this Ordinance, a workman sustained an injury or contracted a disease in respect of which weekly payments in accordance with the First Schedule to the Principal Ordinance would have been payable immediately before that date but for the fact that he was not then incapacitated for work, and on or after that date he becomes incapacitated for work as a result of the injury or disease, weekly payments in respect of that incapacity shall be in accordance with the Principal Ordinance as amended by this Ordinance.

(3.) Where, on or after the date of commencement of this Ordinance, death results from an injury or disease which was sustained or contracted before that date and in respect of which

compensation was payable under the Principal Ordinance, compensation shall be paid in respect of that death in accordance with the Principal Ordinance as amended by this Ordinance.

(4.) Where, immediately before the date of commencement of this Ordinance, a workman was receiving, or was entitled to receive, weekly payments in accordance with the First Schedule to the Principal Ordinance in respect of an injury or injuries sustained or a disease contracted before that date, the provisions of section twelve of the Principal Ordinance as amended by this Ordinance apply in relation to the injury, injuries or disease.

(5.) Where, before the date of commencement of this Ordinance, a workman suffered an accident or contracted a disease—

- (a) which, on or after that date, results in an injury specified in the Second Schedule to the Principal Ordinance as amended by this Ordinance; and
- (b) in respect of which compensation would have been payable under section ten of the Principal Ordinance if the injury had resulted before that date,

the amount of compensation payable in respect of the injury is, subject to section ten of the Principal Ordinance as amended by this Ordinance, the amount specified in the second column of the Second Schedule to the Principal Ordinance as amended by this Ordinance opposite the reference to the injury in the first column.