

WORKMEN'S COMPENSATION.

No. 10 of 1962.

An Ordinance to amend the *Workmen's Compensation Ordinance 1951-1961*.*

1.—(1.) This Ordinance may be cited as the *Workmen's Compensation Ordinance 1962*. Short title
and citation.

(2.) The *Workmen's Compensation Ordinance 1951-1961*† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Workmen's Compensation Ordinance 1951-1962*.

2. Section six of the Principal Ordinance is amended— Interpretation.

(a) by omitting from sub-paragraph (ii) of paragraph (a) of sub-section (3A.) the word “or” (last occurring);

(b) by omitting from sub-paragraph (iii) of paragraph (a) of sub-section (3A.) the word “and” and inserting in its stead the word “or”;

(c) by inserting in sub-section (3A.) after sub-paragraph (iii) of paragraph (a) the following word and sub-paragraph:—

“ (iv) to carry out for the principal one or more of the services of logging (including felling, crosscutting, snigging, loading, carting, bundling and de-barking), clearing of timber, preparing land for planting trees, planting trees, pruning trees, or coppice cleaning; and ”; and

(d) by inserting after sub-section (3A.) the following sub-section:—

“ (3B.) Where—

(a) a person (in this sub-section referred to as ‘the contractor’) enters into a contract with the Commonwealth

* Made on 30th August, 1962; notified in the *Commonwealth Gazette* and commenced on 6th September, 1962.

† Ordinance No. 2, 1951, as amended by No. 4, 1952; No. 12, 1954; No. 1, 1956; Nos. 12, 20 and 21, 1959; and No. 8, 1961.

under which the contractor agrees to perform any of the services specified in sub-paragraphs (i), (ii), (iii) or (iv) of paragraph (a) of the last preceding sub-section; and

(b) the contractor does not either sublet the contract or employ workers, or, although employing workers, actually performs any part of the work himself,

then, for the purposes of this Ordinance—

(c) the contractor shall be deemed to be working under a contract of service with an employer; and

(d) the Commonwealth shall be deemed to be the employer of the contractor,

and the provisions of this Ordinance other than sections eighteen, eighteen A, eighteen B, eighteen C, eighteen D, eighteen E, eighteen F, eighteen G, eighteen H, eighteen J, eighteen K, nineteen, twenty, twenty-one, sub-section (3.) of section twenty-two and the Third Schedule, apply to the Commonwealth and to the contractor accordingly.”.

Liability of
the employer
independently
of the
Ordinance.

3.—(1.) Section twenty-three of the Principal Ordinance is amended by omitting sub-section (2.).

(2.) The amendment made by the last preceding sub-section has effect in relation to proceedings taken by a workman, whether before or after the commencement of this Ordinance, to recover damages from his employer, irrespective of the date on which the workman received payment, or the first payment, of compensation under the *Workmen's Compensation Ordinance* 1951, or that Ordinance as amended from time to time.