

No. 38 of 1972

AN ORDINANCE

To amend the *Workmen's Compensation Ordinance 1951-1971*, as amended by the *Workmen's Compensation Ordinance 1972*.

I 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 1910-1972*.

Dated this seventeenth day of November, 1972.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,

RALPH J. HUNT
Minister of State for the Interior.

WORKMEN'S COMPENSATION ORDINANCE (No. 2) 1972

1.—(1.) This Ordinance may be cited as the *Workmen's Compensation Ordinance (No. 2) 1972*.* Short title and citation.

(2.) The *Workmen's Compensation Ordinance 1951-1971*,† as amended by the *Workmen's Compensation Ordinance 1972*,‡ is in this Ordinance referred to as the Principal Ordinance.

(3.) Section 1 of the *Workmen's Compensation Ordinance 1972* 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 1951-1972*.

2. This Ordinance shall come into operation on the twenty-third day of November, 1972. Commencement.

3. The Principal Ordinance is amended as set out in the Schedule to this Ordinance. Increases in compensation.

4.—(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. Existing policies of insurance.

* Notified in the *Commonwealth Gazette* on 23 November 1972.
† Ordinance No. 2, 1951, as amended by No. 4, 1952; No. 12, 1954; No. 1, 1956; Nos. 12, 20 and 21, 1959; No. 8, 1961; No. 10, 1962; No. 6, 1965; No. 44, 1967; No. 19, 1968; Nos. 7, 13 and 18, 1969; No. 26, 1970; and No. 15, 1971.
‡ Ordinance No. 35, 1972.

(2.) An employer to whom such a 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
under
Principal
Ordinance.

5.—(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 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 Principle 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 a disease that 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.

THE SCHEDULE

Section 3

AMENDMENTS OF THE PRINCIPAL ORDINANCE

Provisions amended	Omit	Insert
Section 10 (1.)	Thirteen thousand five hundred dollars	Fourteen thousand five hundred dollars
Section 12 (1.)	Thirteen thousand five hundred dollars	Fourteen thousand five hundred dollars
The First Schedule— Paragraph 1 (a) (i)	Thirteen thousand five hundred dollars	Fourteen thousand five hundred dollars
Paragraph 1 (b)	Thirty-five dollars	Forty-three dollars
Paragraph 1 (b) (i)	Eight dollars fifty cents	Eleven dollars
Paragraph 1 (c) (i)	Thirty-five dollars	Forty-three dollars