
Workmen's Compensation (Amendment) Ordinance 1981

No. 4 of 1981

I, THE GOVERNOR-GENERAL of 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*.

Dated 26 February 1981.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Workmen's Compensation Ordinance 1951*

Short title

1. This Ordinance may be cited as the *Workmen's Compensation (Amendment) Ordinance 1981*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Workmen's Compensation Ordinance 1951*.²

Interpretation

3. Section 6 of the Principal Ordinance is amended—

(a) by omitting sub-section (4A) and substituting the following sub-sections:

"(4A) Subject to sub-sections (4B), (4C) and (4D), a person who, in accordance with the terms of a contract—

(a) participates, or engages in training or preparation with a view to participating, as a contestant in a sporting contest;
or

- (b) undertakes a journey in connection with his participation, or in connection with training or preparation being undertaken by him with a view to participating, as a contestant in a sporting contest,

shall not, for the purposes of this Ordinance, be deemed to be a workman unless the applicable amount payable to the person in a year—

- (c) exceeds \$15,000; or
- (d) constitutes the sole income of that person for that year.

“(4AA) A person engaged for fee or reward to participate as a referee or umpire in a sporting contest shall, for the purposes of this Ordinance, be deemed to be a workman employed by the person conducting the contest.”;

- (b) by omitting from sub-section (4D) “boxer, wrestler or referee” and substituting “boxer or wrestler”;
- (c) by omitting from sub-section (4E) “sub-section (4D)” and substituting “sub-sections (4AA) and (4D)”;
- (d) by omitting sub-section (9); and
- (e) by omitting sub-section (10) and substituting the following sub-section:

“(10) In this section—

‘applicable amount’, in relation to a person who is engaged under a contract to participate as a contestant in sporting contests, means—

- (a) where the contract provides for the payment to the person of a fixed amount in respect of all or each of the contests in which he participates—the amount, or the aggregate of the amounts, payable to the person under the contract in a year;
- (b) where the contract provides for the payment to the person of one of 2 or more different amounts in respect of each contest in which he participates—the amount that is ascertained by multiplying the mean of the amounts specified in the contract in respect of those contests by the total number of those contests in which he is so engaged to participate in a year; or
- (c) where the contract provides for the payment to the person of a fixed amount in respect of one or more of the contests in which he participates and of one of 2 or more different amounts in respect of others

of those contests—an amount equal to the aggregate of—

- (i) the fixed amount, or the aggregate of the fixed amounts, payable to the person under the contract in a year; and
- (ii) the amount that is ascertained by multiplying the mean of the amounts specified in the contract in respect of those other contests by the total number of those other contests in which he is so engaged to participate in that year;

‘contract’ means a contract under which a person is engaged to participate as a contestant in sporting contests and is entitled to receive payment for each contest in which he participates.”.

Application

4. The amendments made by this Ordinance do not apply in relation to an injury sustained before the date of commencement of this Ordinance and the Principal Ordinance applies in relation to such an injury as if this Ordinance had not been made.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 4 March 1981.
2. 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; No. 15, 1971; Nos. 35 and 38, 1972; No. 11, 1973; No. 34, 1974; No. 11, 1975; Nos. 15, 46 and 47, 1978; No. 15, 1979; No. 29, 1980.