

AUSTRALIAN CAPITAL TERRITORY

WORKMEN'S COMPENSATION ORDINANCE 1962.

EXPLANATORY MEMORANDUM

No. 10 of 1962

Sub-paragraph (a) of sub-section (3A) of section 6 of the Workmen's Compensation Ordinance provides that a person who contracts to do certain timber-getting and clearing work, and who engages personally in the work, shall be deemed to be an employee for the purposes of the Ordinance, but the Ordinance does not bind the Crown and a person injured while performing such work under contract with the Commonwealth could not claim compensation, although such contracts contain some incidents of a master and servant relationship. Section 2 of the amending Ordinance will extend the benefit of the Principal Ordinance to persons who contract to do certain other classes of forestry and timber-getting work, and will provide that a person engaging in the specified work under contract with the Commonwealth shall be deemed to be an employee of the Commonwealth for the purposes of the Ordinance.

Section 23 of the Principal Ordinance provides that when an injured workman may claim either damages or compensation, and has received some compensation, his action for the recovery of damages must be commenced within twelve months from the first date on which he received a payment of compensation.

Section 3 of the amending Ordinance will enable an injured workman to institute proceedings for damages within six years of the date of the injury, and will apply to all such proceedings, whether instituted before or after the commencement of the amending Ordinance, and whether or not compensation payments have been made.