

SEAMEN'S COMPENSATION.

No. 16 of 1954.

An Act to amend the *Seamen's Compensation Act* 1911-1953, and for other purposes.

[Assented to 20th April, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title and citation.

1.—(1.) This Act may be cited as the *Seamen's Compensation Act* 1954.

(2.) The *Seamen's Compensation Act* 1911-1953* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Seamen's Compensation Act* 1911-1954.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Medical benefits.

3. Section five A of the Principal Act is amended by omitting the words "One hundred and fifty pounds" (wherever occurring) and inserting in their stead the words "Two hundred pounds".

Maximum compensation.

4. Section five D of the Principal Act is amended by omitting from sub-section (1.) the words "One thousand seven hundred and fifty pounds" and inserting in their stead the words "Two thousand three hundred and fifty pounds".

First Schedule.

5. The First Schedule to the Principal Act is amended—

(a) by omitting from clause (i) of sub-paragraph (a) of paragraph (1.) the words "One thousand five hundred pounds" and "Seventy-five pounds" and inserting in their stead the words "Two thousand three hundred and fifty pounds" and "One hundred pounds", respectively;

(b) by omitting from clause (iii) of sub-paragraph (a) of paragraph (1.) the words "Fifty pounds" and inserting in their stead the words "Sixty pounds";

(c) by omitting from sub-paragraph (b) of paragraph (1.) the words "Six pounds" and inserting in their stead the words "Eight pounds fifteen shillings";

(d) by omitting from clause (i) of sub-paragraph (b) of paragraph (1.) the words "One pound fifteen shillings" and inserting in their stead the words "Two pounds five shillings";

* Act No. 13, 1911, as amended by No. 56, 1938; No. 18, 1947; No. 7, 1949; and No. 10, 1953.

- (e) by omitting from clause (ii) of sub-paragraph (b) of paragraph (1.) the words "Fifteen shillings" and inserting in their stead the words "One pound";
- (f) by omitting from clause (i) of sub-paragraph (c) of paragraph (1.) the words "Six pounds" and inserting in their stead the words "Eight pounds fifteen shillings";
- (g) by omitting from clause (ii) of sub-paragraph (a) of paragraph (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred pounds";
- (h) by omitting from clause (iii) of sub-paragraph (b) of paragraph (2.) the words "Four pounds ten shillings" and "Six pounds" and inserting in their stead the words "Six pounds ten shillings" and "Eight pounds fifteen shillings", respectively; and
- (i) by omitting from paragraph (13.) the words " , not exceeding Two pounds,".

6. The Third Schedule to the Principal Act is repealed and the **Third Schedule.** following Schedule inserted in its stead :—

THIRD SCHEDULE.
COMPENSATION FOR SPECIFIED INJURIES.

Section 5B.

Nature of Injury.	Amount Payable.		
	£	s.	d.
Loss of both eyes	2,350	0	0
Loss of an only useful eye, the other being blind or absent ..	2,350	0	0
Loss of one eye, with serious diminution of the sight of the other ..	1,762	10	0
Loss of one eye	940	0	0
Loss of hearing	1,645	0	0
Complete deafness of one ear	470	0	0
Loss of both hands	2,350	0	0
Loss of right arm or greater part of right arm	1,880	0	0
Loss of left arm or greater part of left arm	1,692	0	0
Loss of lower part of right arm, right hand or five fingers of right hand	1,645	0	0
Loss of lower part of left arm, left hand or five fingers of left hand ..	1,480	10	0
Loss of right thumb	705	0	0
Loss of left thumb	634	10	0
Loss of right forefinger	470	0	0
Loss of left forefinger	423	0	0
Loss of right middle finger	376	0	0
Loss of left middle finger	352	10	0
Loss of right ring finger	329	0	0
Loss of left ring finger	305	10	0
Loss of right little finger	305	10	0
Loss of left little finger	282	0	0
Loss of total movement of joint of right thumb	329	0	0
Loss of total movement of joint of left thumb	305	10	0
Loss of distal phalanx or joint of right thumb	376	0	0
Loss of distal phalanx or joint of left thumb	352	10	0
Loss of portion of terminal segment of right thumb involving one-third of its flexor surface without loss of distal phalanx or joint ..	329	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 ..	305	10	0

Nature of Injury.	Amount Payable.		
	£	s.	d.
Loss of two phalanges or joints of right forefinger	282	0	0
Loss of two phalanges or joints of left forefinger	258	10	0
Loss of two phalanges or joints of right middle or ring finger	258	10	0
Loss of two phalanges or joints of left middle or ring finger	235	0	0
Loss of two phalanges or joints of right little finger	235	0	0
Loss of two phalanges or joints of left little finger	211	10	0
Loss of distal phalanx or joint of right forefinger	235	0	0
Loss of distal phalanx or joint of left forefinger	211	10	0
Loss of distal phalanx or joint of other finger of right hand	188	0	0
Loss of distal phalanx or joint of other finger of left hand	169	0	0
Loss of hand and foot	2,350	0	0
Loss of both feet	2,350	0	0
Loss of leg above knee	1,762	10	0
Loss of leg below knee	1,527	10	0
Loss of foot	1,410	0	0
Loss of great toe	470	0	0
Loss of any other toe	188	0	0
Loss of two phalanges or joints of any other toe	150	0	0
Loss of phalanx or joint of great toe	235	0	0
Loss of phalanx or joint of any other toe	141	0	0

Adjustment of
weekly
payments
under
Principal
Act.

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

(2.) Where, before the date of commencement of this Act, a seaman sustained an injury or contracted a disease in respect of which weekly payments in accordance with the First Schedule to the Principal Act would have been payable at that date but for the fact that he was not then incapacitated for work, but 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 Act as amended by this Act.

(3.) Where, after the date of commencement of this Act, death results from an injury or a disease which was sustained or contracted before that date and in respect of which compensation was payable under the Principal Act, compensation shall be paid in respect of that death in accordance with the Principal Act as amended by this Act.

(4.) Where, at the date of commencement of this Act, a seaman is receiving, or is entitled to receive, weekly payments in accordance with the First Schedule to the Principal Act in respect of an injury or injuries sustained or a disease contracted before that date, the provisions of section five D of the Principal Act as amended by this Act apply in relation to the injury, injuries or disease.

(5.) Where, before the date of commencement of this Act, a seaman sustained an injury or contracted a disease—

(a) which, after that date, results in an injury specified in the Third Schedule to the Principal Act as amended by this Act; and

(b) in respect of which compensation would have been payable under the Principal Act if the injury referred to in the last preceding paragraph had resulted before that date,

the amount of compensation payable in respect of that injury is the amount specified in the second column of the Third Schedule to the Principal Act as amended by this Act opposite the reference to the injury in the first column.
