

Workers' Compensation, Etc., Act (No. 2). 7 GEO. VI. No. 37,

Amendment
of s. 45 (6).

3. Paragraph (ii.) of subsection six of section forty-five of the Principal Act is repealed and the following paragraph is inserted in lieu thereof, namely:—

“(ii.) Stationary internal combustion engines the area of cylinder or combined area of cylinders of which does not exceed sixty-four circular inches, and oil tractors on farms; or”.

7 GEO. VI.
NO. 37.
THE
WORKERS'
COMPENSATION
ACTS
AMENDMENT
ACT OF
1943.
(No. 2).

An Act to Amend “The Workers’ Compensation Acts, 1916 to 1943,” in certain particulars

[ASSENTED TO 25TH NOVEMBER, 1943.]

BE it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
construction.

1. (1.) This Act may be cited as “*The Workers’ Compensation Acts Amendment Act of 1943 (No. 2)*,” and shall be read as one with **“The Workers’ Compensation Acts, 1916 to 1943,”* herein referred to as the Principal Act.

Collective
title.

(2.) The Principal Act and this Act may collectively be cited as “*The Workers’ Compensation Acts, 1916 to 1943.*”

Amendments of the Principal Act.

Amendment
of s. 3.
[Definition
of Worker.]

2. (1.) Subsection one of section three of the Principal Act is amended by deleting the words “five hundred and twenty pounds” in paragraph (a) of the definition of “Worker,” in the said subsection one, and by inserting the words “six hundred and fifty pounds” in lieu thereof.

Operation of
amendment.

(2.) The amendment herein made to subsection one of section three of the Principal Act by this section two of this Act shall be deemed to have been made therein at midnight on the thirtieth day of June, one thousand nine hundred and forty-three.

1943. . . . *Workers' Compensation, Etc Act., (No. 2).*

3. Provision (C) of subsection one of section fourteen of the Principal Act is amended as follows :— Amendment
of s. 14 (1)
(C.)

(i.) In paragraph (a) after the words “foregoing provisions” the words “but subject as is hereinafter provided” are inserted.

(ii.) Paragraph (d) is repealed and the following paragraph (d) is inserted in lieu thereof, namely :—

“(d) Nothing in the said table shall limit the amount of compensation payable for any such injury during any period of total incapacity resulting from that injury, and any sum so paid as or by way of compensation weekly or otherwise shall not be deducted from the compensation payable in accordance with the said table :

Provided that the total amount of any sum so paid as or by way of compensation weekly or otherwise together with the amount of compensation payable in accordance with the said table shall not exceed seven hundred and fifty pounds.

For the purposes of this paragraph total incapacity shall mean inability to perform work of any description.”

(iii.) Paragraph (g) is amended as follows :—

(a) In subparagraph (i.) the words “under this Act” are repealed and the words “under the said table” are inserted in lieu thereof.

(b) In subparagraph (ii.) the words “under this Act” are repealed and the words “under the said table” are inserted in lieu thereof.

4. Section 14B of the Principal Act is amended as follows :— Amendment
of s. 14B.

(a) The first two paragraphs of subsection one thereof (being the paragraphs commencing with the words “Subject to this Act,” and ending with the words “three hundred and seventy-five pounds in all” are repealed, and the following paragraph is inserted in lieu thereof, namely :—

“Subject to this Act, where a worker has been employed in Queensland in any employment mentioned in the second column of the table of diseases hereunder set forth, and—

(a) Has been continuously resident in Queensland during the five years immediately preceding the date of death or incapacity, and has been

employed in Queensland in any employment as aforesaid for not less than three hundred days (provided that a period of not more than fifteen years has elapsed since ceasing such employment); or

- (b) Has been resident in Queensland for not less than five years out of the seven years immediately preceding the date of death or incapacity, and has been employed in Queensland in any employment as aforesaid for not less than five hundred days (provided that a period of not more than fifteen years has elapsed since ceasing such employment),

and such worker—

- (c) Has died in consequence of any disease mentioned in the first column of the said table opposite and relative to such employment; or

- (d) Is suffering from any such disease and is thereby incapacitated from earning full wages at the work at which he was employed,

the worker or, in the case of death, his dependants, shall be entitled to compensation in accordance with this Act as if the death or incapacity by the disease were a personal injury by accident suffered by the worker at the place of employment under section nine of this Act; but the amount of compensation payable in such case shall be the amount calculated in accordance with subsection two of this section in lieu of the amount set forth in section fourteen of this Act.”

(b) The following paragraph is inserted after paragraph (i.) of provision (B) of subsection two thereof, namely:—

- “(i.a) To the wife of the worker, if she is totally or mainly dependent on his earnings, the sum of five shillings per week during the incapacity of the worker; and”

(c) In subsection eight thereof the words “on or after the first day of October, one thousand nine hundred and eighteen,” are repealed.