



ANNO QUINQUAGESIMO SECUNDO ET QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

A.D. 1889.

No. 458.

An Act to amend the "Employers' Liability Act, 1884."

[Assented to, November 13th, 1889.]

BE it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows :

1. This Act may be cited as "The Employers' Liability Amendment Act, 1889," and, except so far as inconsistent therewith, this Act shall be incorporated and read as one with "The Employers' Liability Act, 1884," hereinafter referred to as the "said Act."

Short title and incorporation.

2. The expression "workman" used in the said Act and herein shall be construed to include a seaman or other person engaged in manual labor employed upon a ship or boat who has entered into or works under a contract for service with an employer, whether such seaman or other person be under the age of twenty-one years or above that age, whether the contract be express or implied, oral or in writing, and whether it be made before or after the passing of this Act; and section 9 of the principal Act shall be read and construed as if the words "work or" were inserted after the word "manual" in the tenth line thereof.

Provisions of Employers' Liability Act, 1884, extended to seamen.

3. Where, after the commencement of this Act, personal injury is caused to a workman by reason of any defect in the condition of any spars, rigging, tackle, machinery, fittings, apparel, or furniture connected with or used in any ship or boat whereon such workman is employed, such injury shall be deemed to have been caused

Spars, rigging, &c., to be included in ways, works, &c.

The Employers Liability Amendment Act.—1889.

caused by reason of a defect in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer within the meaning of the said Act.

Application of sub-section III. of section 7 of the said Act to all Courts.

4. The provisions of sub-section III. of section 7 of the said Act shall apply to every Court in which an action under the said Act or under this Act is commenced or is pending.

Limitation to South Australian ports.

5. The provisions of this Act, in the case of seamen, shall extend only to personal injury caused in a South Australian port.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

S. J. WAY, Deputy Governor.