



ANNO OCTAVO

GEORGII VI REGIS.

A.D. 1944.

No. 14 of 1944.

An Act to repeal the Employers Liability Act, 1934, and to amend the Wrongs Act, 1936-1940, by the enactment of provisions for the abolition of the rule of common employment.

[Assented to 23rd November, 1944.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Wrongs Act Amendment Act, 1944". Short titles.
- (2) The Wrongs Act, 1936-1940, as amended by this Act, may be cited as the "Wrongs Act, 1936-1944".
- (3) The Wrongs Act, 1936-1940, is hereinafter called "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. The Employers Liability Act, 1934, is repealed. Repeal of Employers Liability Act, 1934.
4. The following heading and section are enacted and inserted in the principal Act after section 29 :— Enactment of s. 30 of principal Act—

Abolition of the rule of common employment.

30. (1) Where any injury or damage is suffered by a servant by reason of the wrongful act, neglect or default of a fellow servant, the employer of those servants shall
- Abolition of rule of common employment.

be liable in damages in respect of that injury or damage in the same manner and in the same cases as if those servants had not been engaged in a common employment.

(2) This section applies to any injury or damage arising from a wrongful act, neglect or default committed after the enactment of this section, whether the contract of employment was made before or is made after the enactment of this section.

(3) "Employer" in this section includes the Crown and instrumentalities of the Crown.

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

J. M. NAPIER, Lieutenant-Governor.