



ANNO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1958.

No. 42 of 1958.

An Act to amend the Workmen's Compensation Act, 1932-1956.

[Assented to 27th November, 1958.]

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 "Workmen's Compensation Act Amendment Act, 1958". Short titles.

(2) The Workmen's Compensation Act, 1932-1956, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1958".

(3) The Workmen's Compensation Act, 1932-1956, is hereinafter referred to as "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. Section 16 of the principal Act is amended—

(a) by striking out the words "five hundred" in the first line of paragraph (a) of subsection (1) and inserting in lieu thereof the words "eight hundred" ;

(b) by striking out the words "two thousand three hundred and fifty" in paragraph (b) of subsection (1) and inserting in lieu thereof the words "two thousand five hundred" ; and

Amendment of s. 16 of principal Act—
Compensation when workman dies leaving dependants.

(c) by striking out the word "sixty" in the last line of subsection (4a) and inserting in lieu thereof the word "seventy".

Amendment of
s. 17 of the
principal Act—
Compensation
where no
dependants.

4. Section 17 of the principal Act is amended by striking out the word "sixty" in the fifth line thereof and inserting in lieu thereof the word "seventy".

Amendment of
s. 18 of
principal Act—
Compensation
for incapacity.

5. Section 18 of the principal Act is amended—

(a) by striking out the words "twelve pounds sixteen shillings" in subsection (2) and inserting in lieu thereof the words "thirteen pounds ten shillings";

(b) by striking out the words "eight pounds fifteen shillings" in subsection (2a) and inserting in lieu thereof the words "nine pounds five shillings";

(c) by striking out the words "two thousand six hundred" in subsection (3) and inserting in lieu thereof the words "two thousand seven hundred and fifty";

(d) by striking out the word "three" in paragraph (a) and paragraph (b) of subsection (4) and inserting in lieu thereof the word "four".

Amendment of
s. 18a of
principal Act—

6. Section 18a of the principal Act is amended by striking out subsections (1) to (4) thereof inclusive and inserting in lieu thereof the following subsections :—

Medical,
hospital and
other
expenses.

(1) Where a workman is entitled to compensation under the other provisions of this Act or by reason of subsection (6) of this section, the employer shall be liable to pay as compensation to the workman the reasonable expenses incurred by the workman for such medical, hospital, nursing and ambulance services as are reasonably necessary as a result of his injury.

(2) In this section—

"ambulance services" means transport by a vehicle to a hospital or other place for medical examination or medical treatment :

"hospital services" means—

(a) maintenance, attendance and treatment in a hospital ; and

(b) the provision by a hospital of medical and nursing services, medical, surgical and other curative materials, appliances and apparatus :
and

(c) other usual and necessary hospital services ;

“medical services” means—

(a) treatment administered by a legally qualified medical practitioner, by a registered dentist, or by a registered physiotherapist on the prescription of a legally qualified medical practitioner ;

(b) the supply of medicines, skiagrams, artificial limbs, eyes or teeth, crutches, splints, spectacles, and other medical and surgical aids and curative appliances or apparatus :

“nursing services” means nursing services rendered by a registered nurse otherwise than as a member of the nursing staff of a hospital.

(3) Where a person or authority has rendered to or provided for a workman any medical, hospital, nursing or ambulance services for the cost of which the employer is required to compensate the workman pursuant to this section, and has not been paid the full amount to which he or it is entitled for those services, the employer may pay to the said person or authority the whole or any part of the amount owing to him or it. Such a payment shall, to the extent of the amount paid, be a discharge of the liability of the employer to the workman under this section and of the liability of the workman to such person or authority for the services.

(4) The Governor may by regulation prescribe the maximum amounts which may be charged and recovered for any medical, hospital, nursing or ambulance services the cost of which is payable as compensation under this section.

(4a) The compensation payable under this section shall be in addition to all other compensation payable to the workman, and the fact that a workman is entitled to compensation under this section shall not restrict the compensation payable to him under any other provision of this Act.

7. Section 26 of the principal Act is amended—

(a) by striking out the words “two thousand six hundred” in subsection (5) and inserting in lieu thereof “two thousand seven hundred and fifty” ;

Amendment of
s. 26 of the
principal Act—
Fixed rates of
compensation
for certain
injuries.

(b) by striking out the words "two thousand six hundred" in the heading to the table at the end of the said section and inserting in lieu thereof the words "two thousand seven hundred and fifty".

**Application of
Act.**

8. Sections 3, 4, 5, 6, and 7 of this Act shall apply only in relation to injury or death caused by an accident occurring after the commencement of this Act.

In cases of injury or death caused by accident occurring before the commencement of this Act the provisions of the principal Act as in force immediately before the commencement of this Act shall apply.

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

R. A. GEORGE, Governor.