



ANNO DECIMO

ELIZABETHAE II REGINAE

A.D. 1961

No. 47 of 1961

An Act to amend the Workmen's Compensation Act,
1932-1960.

[Assented to 16th November, 1961.]

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 Com- Short titles.
pensation Act Amendment Act, 1961".
 - (2) The Workmen's Compensation Act, 1932-1960, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1961".
 - (3) The Workmen's Compensation Act, 1932-1960, is hereinafter referred to as "the principal Act".
2. This Act is incorporated with the principal Act and that Incorporation.
Act and this Act shall be read as one Act.
3. Section 4 of the principal Act is amended by inserting Amendment of
principal Act,
s. 4.
therein after subsection (2) thereof the following subsection :—
- (3) An accident shall be deemed to arise out of and in the course of the employment of an apprentice (that is to say a person who has entered into or works under a contract of apprenticeship) if it occurs on a journey taken by the apprentice between his place of residence and a trade, technical or other training school which he is required by law to attend, or which he attends at the

request of the employer, if at the time of the accident the apprentice was travelling in accordance with arrangements made with the employer in connection with the journey before the commencement thereof.

This subsection shall not restrict the operation of subsection (1) or subsection (2) of this section.

Amendment of
principal Act,
s. 16.

4. Section 16 of the principal Act is amended—

- (a) by striking out the words "ninety pounds" first occurring in subsection (1) thereof and inserting in lieu thereof the words "one hundred pounds" and by striking out the words "nine hundred pounds plus ninety pounds" in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the words "one thousand pounds plus one hundred pounds";
- (b) by striking out the words "two thousand seven hundred and fifty pounds plus ninety pounds" in paragraph (b) of subsection (1) thereof and inserting in lieu thereof the words "three thousand pounds plus one hundred pounds";

Amendment of
principal Act,
s. 18.

5. Section 18 of the principal Act is amended—

- (a) by striking out the words "one pound five shillings" and "three pounds five shillings" in subsection (1) thereof and inserting in lieu thereof respectively the words "one pound ten shillings" and "four pounds";
- (b) by inserting after the words "accident had" in subsection (1) thereof the words "or during the incapacity has";
- (c) by inserting at the end of subsection (1) thereof the words "payable from the date of such dependency";
- (d) by striking out the words "fourteen pounds five shillings" in subsection (2) thereof and inserting in lieu thereof the words "fifteen pounds";
- (e) by striking out the words "nine pounds fifteen shillings" in subsection (2a) thereof and inserting in lieu thereof the words "ten pounds five shillings";
- (f) by striking out the words "three thousand pounds" in subsection (3) thereof and inserting in lieu thereof the words "three thousand two hundred and fifty pounds";

(g) by striking out the words "five pounds" (twice occurring) in subsection (4) thereof and inserting in lieu thereof the words "five pounds ten shillings" in each case.

6. Section 18a of the principal Act is amended—

Amendment of
principal Act,
s. 18a.

(a) by inserting after the word "services" in subsection (1) thereof the words "and (not exceeding twenty-five pounds) for repairing or replacing damaged clothing";

(b) by inserting after the word "day" last occurring in subsection (6) thereof the words "and whether or not the workman is entitled to compensation other than compensation for the expenses mentioned in this section.

7. Subsection (2) of section 25 of the principal Act is amended by adding at the end thereof the following passage—

Amendment of
principal Act,
s. 25.

"Provided that in computing the amount of the average weekly earnings of the workman for the purposes of this subsection before the accident regard shall be had to variations in the average weekly earnings which would have applied to the workman if he had continued in the same employment."

8. Section 26 of the principal Act is amended by striking out the words "three thousand pounds" in subsection (5) thereof and in the table set forth at the end of the said section and inserting in lieu thereof in each case the words "three thousand two hundred and fifty-pounds".

Amendment of
principal Act,
s. 26.

9. Sections 3, 4, 5, 7, and 8, and the amendment made by paragraph (a) of section 6 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 an 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.

Operation.

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

EDRIC BASTYAN, Governor.