

An Act to amend Division Fourteen of Part I. of the
Coal Mines Regulation Act 1928 and for
other purposes.

[21st November, 1950.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title
construction
and citation.

Nos. 3657,
3838, 4030,
4364, 4878,
4956, 5005,
5105, 5361 s. 6.

1. (1) This Act may be cited as the *Coal Mines Regulation (Accidents Relief) Act 1950* and shall be read and construed as one with the *Coal Mines Regulation Act 1928* (hereinafter called the Principal Act) and the Acts and the enactment amending the same all of which Acts and this Act may be cited together as the Coal Mines Regulation Acts.

Commencement.

(2) This Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Amendment of
No. 3657 s. 76.

Employés'
contribution to
Accident Relief
Fund.

2. In section seventy-six of the Principal Act for the words "the sum of Fourpence half-penny" there shall be substituted the words "such sum as is prescribed".

3. (1) For

3. (1) For sub-section (1) of section seventy-eight of the Principal Act there shall be substituted the following sub-section :---

Amendment of No. 3657 s 78.

“(1) (a) Subject to disallowance by the Victorian Coal Miners’ Accidents Relief Board the Accidents Committee for any mine may grant allowances in accordance with the prescribed conditions and scale in any case in which, in the judgment of the Accidents Committee, the death incapacity or disablement of a person employed in or about the mine results—

Allowances payable in case of death or disablement by accident or disease.

- (i) from injury by accident arising out of or in the course of that employment; or
- (ii) from disease due to the nature of that employment.

(b) Words and expressions used in the last preceding paragraph shall be deemed to have the same meaning and extension in all respects as the corresponding words and expressions have in and by virtue of the Workers’ Compensation Acts.”

Interpretation.

Nos. 3806, &c.

(2) The provisions of section seventy-eight of the Principal Act as amended by the last preceding sub-section shall extend and apply—

Extension of No. 3657 s. 78 as amended to cases in which accident or disablement occurred before commencement of this Act.

(a) to the granting of an allowance as from the date of the accident or disablement in question or the twenty-seventh day of March One thousand nine hundred and forty-seven (whichever is the later) in the case of any person who—

- (i) was employed in or about a mine and was a contributor to the said fund; and
- (ii) is at the commencement of this Act or was at some time before the said commencement incapacitated for work by reason of injury by accident arising out of or in the course of that employment or by reason of disablement from disease due to the nature of that employment; and

(b) to the granting of an allowance in the case of the death of such a person after the said commencement resulting from such an injury or disease.

Amendment of
No. 3657 s. 80.
Power to
increase or
decrease
amount of
employé's
weekly
contribution.

4. Section eighty of the Principal Act is hereby amended as follows :—

- (a) In sub-section (2) after the word “expedient” there shall be inserted the expression “or (if he deems it preferable) decrease the sum deducted each week from the wages of each employé for such period and to such amount as he may deem expedient” ;
- (b) In sub-section (3) after the word “expedient” there shall be inserted the expression “or (if he deems it preferable) increase the sum deducted each week from the wages of each employé for such period and to such amount as he may deem expedient” ; and
- (c) In sub-section (3) the words beginning “But the Governor in Council may” to the end of the section are hereby repealed.