



ANNO DUODECIMO

ELIZABETHAE II REGINAE

No. 55 of 1963

An Act to amend the Workmen's Compensation Act,
1932-1961.

[Assented to 28th November, 1963.]

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

Short titles.

1. (1) This Act may be cited as the "Workmen's Compensation Act Amendment Act, 1963".

(2) The Workmen's Compensation Act, 1932-1961, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1963".

(3) The Workmen's Compensation Act, 1932-1961, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of
principal Act,
s. 4.

3. Subsection (2) of section 4 of the principal Act is amended—

(a) by striking out the words "during ordinary working hours" in paragraph (b) thereof;

(b) by inserting at the end of the said paragraph (b) thereof the words "for the purpose of attending a class, or undertaking training, at such school";

(c) by inserting the following paragraphs after the said paragraph (b) thereof :—

(c) while the workman is in attendance at any such school for such purpose ;

(d) while the workman on any working day on which he has attended at his place of employment pursuant to his contract of employment is with the express consent of the employer temporarily absent therefrom on that day during any authorized meal tea or smoking break and during such absence is not guilty of any misconduct or breach of the employer's instructions and does not voluntarily subject himself to any abnormal risk of injury ;

(e) while the workman is travelling between his place of residence or place of employment and any other place for the purpose of obtaining, in connection with any injury for which he has received compensation or for which a claim for compensation has been admitted, a medical certificate, or is receiving, in connection with any such injury, medical, surgical or hospital advice, attention or treatment, or is in attendance at any place for any such purpose.

4. Subsection (1) of section 7 of the principal Act is amended by striking out the words "forty-five" in paragraph (a) thereof and inserting in lieu thereof the words "fifty-five".

Amendment of
principal Act,
s. 7.

5. Section 16 of the principal Act is amended—

(a) by striking out the words "one hundred pounds" first occurring in subsection (1) thereof and inserting in lieu thereof the words "one hundred and ten pounds" and by striking out the words "one thousand pounds plus one hundred pounds" in paragraph (a) of the said subsection (1) thereof and inserting in lieu thereof the words "one thousand one hundred pounds plus one hundred and ten pounds";

Amendment of
principal Act,
s. 16.

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

(c) by striking out the word "eighty" in subsection (4a) thereof and inserting in lieu thereof the words "one hundred".

Amendment of
principal Act,
s. 17.

6. Section 17 of the principal Act is amended by striking out the word "eighty" in paragraph (b) thereof and inserting in lieu thereof the words "one hundred".

Amendment of
principal Act,
s. 18.

7. Section 18 of the principal Act is amended—

- (a) by striking out the words "one pound ten shillings" and "four pounds" in subsection (1) thereof and inserting in lieu thereof respectively the words "one pound fifteen shillings" and "four pounds ten shillings";
- (b) by striking out the words "fifteen pounds" in subsection (2) thereof and inserting in lieu thereof the words "sixteen pounds five shillings";
- (c) by striking out the words "ten pounds five shillings" in subsection (2a) thereof and inserting in lieu thereof the words "eleven pounds";
- (d) by striking out the words "three thousand two hundred and fifty pounds" in subsection (3) thereof and inserting in lieu thereof the words "three thousand five hundred pounds";
- (e) by striking out the words "five pounds ten shillings" (twice occurring) in subsection (4) thereof and inserting in lieu thereof the words "six pounds" in each case.

Amendment of
principal Act,
s. 18a.

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

- (a) by inserting at the end of the definition of "ambulance services" therein the words "and where necessary on the return journey";
- (b) by inserting at the end of paragraph (b) of the definition of "medical services" therein the words "including necessary renewals or replacements" thereof;
- (c) by striking out the words "twenty-five" in subsection (1) thereof and inserting in lieu thereof the word "thirty".

Amendment of
principal Act
s. 26.

9. Section 26 of the principal Act is amended by striking out the words "three thousand two hundred and fifty" 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 five hundred".

10. Section 27 of the principal Act is amended by inserting the following passage at the end thereof :---

Amendment of
principal Act,
s. 27.

On any such review regard shall also be had to variations in the average weekly earnings which would have applied to the workman if he had continued in the same employment as that in which he was engaged before the accident.

11. Sections 3, 4, 5, 6, 7, 9 and 10 and the amendments made by paragraphs (a) and (c) of section 8 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 as amended by paragraph (b) of section 8 shall apply but not so as to affect any case in which the amount of compensation has been settled and paid prior to such commencement.

Operation.

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

EDRIC BASTYAN, Governor.