



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1983

No. 43 of 1983

An Act to amend the Country Fires Act, 1976-1980.

[Assented to 16 June 1983]

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 "Country Fires Act Amendment Act, 1983".

(2) The Country Fires Act, 1976-1980, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Country Fires Act, 1976-1983".

Commencement.

2. This Act shall be deemed to have come into operation on the first day of January, 1983.

Amendment of
s. 27—
Compensation.

3. Section 27 of the principal Act is amended by striking out subsection (2) and substituting the following subsections:

(2) The Workers Compensation Act, 1971-1982, applies in relation to a person to whom this section applies as if—

(a) his functions and duties as a fire control officer, fire party leader or member of a C.F.S. fire brigade constituted employment by the Board;

and

(b) his remuneration in respect of that presumptive employment had been at a rate equal to the prescribed percentage of average weekly earnings as existing from time to time during the period of that presumptive employment,

but in determining compensation payable by the Board under that Act—

(c) any actual remuneration of the person by or in respect of whom compensation is claimed (as distinct from the pres-

umptive remuneration referred to above) shall be disregarded;

and

(d) the question of whether and, if so, to what extent a claimant is incapacitated from employment shall be determined by reference to employment in which he was otherwise engaged at the commencement of the incapacity or, if he was not then engaged in other employment, by reference to employment for which he was then reasonably fitted.

(2a) A reference to average weekly earnings is a reference to average weekly earnings for adults working ordinary time in full-time employment as determined from time to time by the Commonwealth Statistician in relation to this State.

(2b) A regulation prescribing a percentage for the purposes of subsection (2) shall, if it so provides, have retrospective operation.

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

D. B. DUNSTAN, Governor