

# COMMONWEALTH EMPLOYEES' COMPENSATION.

No. 101 of 1964.

An Act to amend the *Commonwealth Employees' Compensation Act 1930-1962*.

[Assented to 20th November, 1964.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

- Short title and citation.** 1.—(1.) This Act may be cited as the *Commonwealth Employees' Compensation Act 1964*.  
(2.) The *Commonwealth Employees' Compensation Act 1930-1962\** is in this Act referred to as the **Principal Act**.  
(3.) The **Principal Act**, as amended by this Act, may be cited as the *Commonwealth Employees' Compensation Act 1930-1964*.
- Commencement.** 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Medical benefits.** 3. Section eleven of the **Principal Act** is amended by omitting from sub-section (2B.) the words "Three hundred and fifty pounds" and inserting in their stead the words "Five hundred pounds".
- Maximum compensation.** 4. Section thirteen of the **Principal Act** is amended by omitting from sub-section (1.) the words "Three thousand pounds" and inserting in their stead the words "Four thousand three hundred pounds".
- First Schedule.** 5. The **First Schedule** to the **Principal Act** is amended—  
(a) by omitting clause (i) of sub-paragraph (a) of paragraph (1.) and inserting in its stead the following clause:—  
" (i) if the employee leaves any dependants wholly dependent upon his earnings—the sum of Four thousand three hundred pounds and, in addition, in respect of each child under the age of sixteen years at the date of the death of the employee who was, at the date of the injury or the date of the death of the employee, wholly or mainly dependent upon the earnings of the employee, a weekly payment, from the date of the death, of an amount equal to the amount specified in clause (ii) of the next succeeding sub-paragraph; ";

\* Act No. 24, 1930, as amended by No. 8, 1944; No. 61, 1948; No. 80, 1950; No. 27, 1951; No. 15, 1954; No. 93, 1956; No. 98, 1959; and No. 94, 1962.

- (b) by omitting from sub-paragraph (b) of paragraph (1.) the words "Ten pounds" and inserting in their stead the words "Eleven pounds eleven shillings";
- (c) by omitting from clause (i) of sub-paragraph (b) of paragraph (1.) the words "Two pounds ten shillings" and inserting in their stead the words "Two pounds fourteen shillings and sixpence";
- (d) by omitting from clause (i) of sub-paragraph (c) of paragraph (1.) the words "Ten pounds" and inserting in their stead the words "Eleven pounds eleven shillings";
- (e) by omitting from clause (ii) of sub-paragraph (a) of paragraph (1A.) the words "Four hundred pounds" and inserting in their stead the words "Seven hundred pounds";
- (f) by omitting from clause (iii) of sub-paragraph (b) of paragraph (1A.) the words "Seven pounds five shillings" and inserting in their stead the words "Eight pounds thirteen shillings and threepence";
- (g) by omitting from clause (iii) of sub-paragraph (b) of paragraph (1A.) the words "Ten pounds" and inserting in their stead the words "Eleven pounds eleven shillings";
- (h) by omitting from paragraph (5.) the words "The payment in the case of death shall, unless otherwise provided in this Schedule or by the Regulations, be paid to the Commissioner, and the sum" and inserting in their stead the words "A payment in the case of death (including a payment under paragraph (9A.) of this Schedule) shall, unless otherwise provided in this Schedule or by the Regulations, be paid to the Commissioner, and a sum";
- (i) by inserting after paragraph (9.) the following paragraph:—
  - "(9A.) A weekly payment referred to in clause (i) of sub-paragraph (a) of paragraph (1.) of this Schedule ceases to be payable when the child—
    - (a) attains the age of sixteen years;
    - (b) marries; or
    - (c) dies,whichever event first occurs, and where such a weekly payment ceases to be payable and the aggregate amount of such weekly payments made in respect of the child is less than One hundred pounds, there is payable an additional amount of compensation equal to the difference between that aggregate amount and One hundred pounds."
- (j) by inserting in paragraph (10.), after the word "payment", the words "(other than a weekly payment referred to in clause (i) of sub-paragraph (a) of paragraph (1.) of this Schedule)"; and
- (k) by inserting in paragraph (11.), after the word "payment" (first occurring), the words "(other than a weekly payment referred to in clause (i) of sub-paragraph (a) of paragraph (1.) of this Schedule)".

Third  
Schedule.

6. The Third Schedule to the Principal Act is repealed and the following Schedule inserted in its stead:—

THE THIRD SCHEDULE.

Section 12.

COMPENSATION FOR SPECIFIED INJURIES.

Nature of Injury.	Amount Payable.		
	£	s.	d.
Loss of both eyes .. .. .	4,300	0	0
Loss of an only useful eye, the other being blind or absent ..	4,300	0	0
Loss of one eye, with serious diminution of the sight of the other ..	3,225	0	0
Loss of one eye .. .. .	1,720	0	0
Loss of hearing .. .. .	3,010	0	0
Complete deafness of one ear .. .. .	860	0	0
Loss of both hands .. .. .	4,300	0	0
Loss of right arm or greater part of right arm .. .. .	3,440	0	0
Loss of left arm or greater part of left arm .. .. .	3,096	0	0
Loss of lower part of right arm, right hand or five fingers of right hand	3,010	0	0
Loss of lower part of left arm, left hand or five fingers of left hand	2,709	0	0
Loss of right thumb .. .. .	1,290	0	0
Loss of left thumb .. .. .	1,161	0	0
Loss of right forefinger .. .. .	860	0	0
Loss of left forefinger .. .. .	774	0	0
Loss of right middle finger .. .. .	688	0	0
Loss of left middle finger .. .. .	645	0	0
Loss of right ring finger .. .. .	602	0	0
Loss of left ring finger .. .. .	559	0	0
Loss of right little finger .. .. .	559	0	0
Loss of left little finger .. .. .	516	0	0
Loss of total movement of joint of right thumb .. .. .	602	0	0
Loss of total movement of joint of left thumb .. .. .	559	0	0
Loss of distal phalanx or joint of right thumb .. .. .	688	0	0
Loss of distal phalanx or joint of left thumb .. .. .	645	0	0
Loss of portion of terminal segment of right thumb involving one-third of its flexor surface without loss of distal phalanx or joint	602	0	0
Loss of portion of terminal segment of left thumb involving one-third of its flexor surface without loss of distal phalanx or joint	559	0	0
Loss of two phalanges or joints of right forefinger .. .. .	516	0	0
Loss of two phalanges or joints of left forefinger .. .. .	473	0	0
Loss of two phalanges or joints of right middle or ring finger ..	473	0	0
Loss of two phalanges or joints of left middle or ring finger ..	430	0	0
Loss of two phalanges or joints of right little finger .. .. .	430	0	0
Loss of two phalanges or joints of left little finger .. .. .	387	0	0
Loss of distal phalanx or joint of right forefinger .. .. .	430	0	0
Loss of distal phalanx or joint of left forefinger .. .. .	387	0	0
Loss of distal phalanx or joint of other finger of right hand	344	0	0
Loss of distal phalanx or joint of other finger of left hand ..	301	0	0
Loss of hand and foot .. .. .	4,300	0	0
Loss of both feet .. .. .	4,300	0	0
Loss of leg above knee .. .. .	3,225	0	0
Loss of leg below knee .. .. .	2,795	0	0
Loss of foot .. .. .	2,580	0	0
Loss of great toe .. .. .	860	0	0
Loss of any other toe .. .. .	344	0	0
Loss of two phalanges or joints of any other toe .. .. .	301	0	0
Loss of phalanx or joint of great toe .. .. .	430	0	0
Loss of phalanx or joint of any other toe .. .. .	258	0	0

Adjustment  
of weekly  
payments, &c.,  
under prior  
Acts.

7.—(1.) Where, immediately before the date of commencement of this Act, a person was receiving weekly payments under the *Commonwealth Workmen's Compensation Act 1912* or was receiving, or was entitled to receive, weekly payments in accordance with the First Schedule to the Principal Act, he is, from and

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including that date, entitled to receive weekly payments in accordance with the Principal Act as amended by this Act.

(2.) Where, before the date of commencement of this Act, an employee sustained an injury or contracted a disease in respect of which weekly payments in accordance with the First Schedule to the Principal Act would have been payable immediately before that date but for the fact that he was not then incapacitated for work, and on or after that date he becomes incapacitated for work as a result of the injury or disease, weekly payments in respect of that incapacity shall be in accordance with the Principal Act as amended by this Act.

(3.) Where, on or after the date of commencement of this Act, death results from an injury or a disease that was sustained or contracted before that date and in respect of which compensation was payable under the Principal Act, compensation shall be paid in respect of that death in accordance with the Principal Act as amended by this Act.

(4.) Where, immediately before the date of commencement of this Act, an employee was receiving, or was entitled to receive, weekly payments in accordance with the First Schedule to the Principal Act in respect of an injury or injuries sustained or a disease contracted before that date, the provisions of section thirteen of the Principal Act as amended by this Act apply in relation to the injury, injuries or disease.

(5.) The amendment made by section six of this Act extends in relation to an injury sustained after the commencement of this Act notwithstanding that the accident or disease that caused the injury occurred before the commencement of this Act.