**COMPENSATION (COMMONWEALTH GOVERNMENT EMPLOYEES) AMENDMENT ACT 1978**

**No. 68 of 1978**

An Act to amend the *Compensation (Commonwealth Government Employees) Act* 1971 for purposes related to the self-government of the Northern Territory.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

**Short title, &c.**

**1.** (1) This Act may be cited as the *Compensation (Commonwealth Government Employees) Amendment Act* 1978.

(2) The *Compensation (Commonwealth Government Employees) Act* 1971 is in this Act referred to as the Principal Act.

**Commencement**

**2.** This Act shall come into operation on 1 July 1978.

**3.** After section 7 of the Principal Act the following sections are inserted:

**Public Service of Northern Territory**

“7a. (1) This section applies to a person who, on or after 1 July 1978, is employed by the Northern Territory, whether he is so employed under a law of the Northern Territory or under a contract of service or apprenticeship.

“(2) Subject to this section, this Act has effect on and after 1 July 1978 in relation to a person to whom this section applies as if references in this Act (other than this section and section 7b) to the Commonwealth were references to the Northern Territory.

“(3) Sub-section (2) does not apply to—

(a) a reference in this Act to a law of the Commonwealth, a prescribed authority of the Commonwealth, a Commonwealth Police Officer, a Territory forming part of the Commonwealth or a Commonwealth Employees’ Compensation Tribunal;

(b) a reference to the Commonwealth in sub-section (2) of section 4, sub-section (2) of section 7, sub-section (7) of section 45, sub-section (3) of section 46, paragraph (d) of sub-section (4) of section 52 or Part VII; or

(c) the reference to the Public Service of the Commonwealth in paragraph (b) of sub-section (1) of section 123.

“(4) This section does not have effect in relation to—

(a) an injury sustained or a disease contracted before 1 July 1978;

(b) an aggravation, acceleration or recurrence of a disease suffered before that date; or

(c) loss or damage of a kind referred to in section 28 suffered before that date.

**Northern Territory to pay compensation in respect of certain other persons**

“7b. (1) Sub-section (2) applies to—

(a) employment of a person that is, in accordance with sub-section (2) of section 7, deemed to be employment of the person by the Commonwealth by reason of his performance of his duties as a member of the Police Force of the Northern Territory or the duties of an office of the Northern Territory; or

(b) employment of a person by an authority of the Northern Territory, including employment of a person that is, in accordance with sub-section (3) of section 7, deemed to be employment of the person by such an authority by reason of his performance of the duties of the authority, his duties as a member of the authority or person acting as such a member or his duties as a deputy of such a member.

“(2) Any payments of compensation under this Act that, but for this section, would be payable by the Commonwealth on or after 1 July 1978 to or in relation to a person by reason of employment to which this subsection applies, not being compensation in respect of—

(a) an injury sustained or a disease contracted before 1 July 1978;

(b) an aggravation, acceleration or recurrence of a disease suffered before that date; or

(c) loss or damage of a kind referred to in section 28 suffered before that date,

shall be payable by the Northern Territory and not by the Commonwealth.

“(3) In this section—

‘authority of the Northern Territory’ means a body corporate to which paragraph (b) of the definition of ‘prescribed authority of the Commonwealth’ in sub-section (1) of section 5 applies, being a body incorporated by a law of the Northern Territory;

‘office of the Northern Territory’ means an office that is established by a law of the Northern Territory and is an office to which sub-paragraph (ii) of paragraph (c) of sub-section (2) of section 7 applies.”.