

SEAMEN'S COMPENSATION.

No. 67 of 1960.

An Act to amend the *Seamen's Compensation Act* 1911-1959.

[Assented to 7th December, 1960.]

[Date of commencement, 4th January, 1961.]

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

1.—(1.) This Act may be cited as the *Seamen's Compensation Act* 1960. Short title and citation.

(2.) The *Seamen's Compensation Act* 1911-1959* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Seamen's Compensation Act* 1911-1960.

2. Section three of the Principal Act is amended—

Interpretation.

(a) by inserting in sub-section (1.), after the definition of "County Court", the following definition:—

“ ‘delivery voyage’, in relation to a ship, means a voyage of the ship between two ports one of which is in Australia and the other of which is in another country, being a voyage undertaken wholly or principally for the purpose of delivering or moving the ship to the port of destination;” and

(b) by adding at the end thereof the following sub-section:—

“ (6.) Where a person has been engaged in Australia for employment as a seaman for the purposes of a delivery voyage—

(a) he shall, for the purposes of the application of this Act to or in relation to employment in pursuance of that engagement, be deemed to be a seaman from the time of that engagement; and

* Act No. 13, 1911, as amended by No. 56, 1938; No. 18, 1947; No. 7, 1949; No. 10, 1953; No. 16, 1954; and No. 99, 1959.

- (b) any employment of that person in pursuance of that engagement before he joins the ship shall, for the purposes of this Act, be deemed to be employment for the purposes of that delivery voyage.”.

3. Section four of the Principal Act is repealed and the following section inserted in its stead:—

Application
of Act.

“ 4.—(1.) This Act applies in relation to—

(a) the employment of seamen on a ship registered in Australia—

(i) that is engaged in trade and commerce with other countries or among the States, or between a State or a Territory of the Commonwealth forming part of the Commonwealth and a Territory of the Commonwealth (whether forming part of the Commonwealth or not); or

(ii) that is within the territorial waters of a Territory of the Commonwealth forming part of the Commonwealth, or whose first port of clearance and whose port of destination are in such a territory;

(b) the employment, under articles of agreement entered into in Australia, of seamen on a ship not registered in Australia (whether British or not) that is engaged in trade and commerce among the States, or between a State and a Territory of the Commonwealth forming part of the Commonwealth, in pursuance of a licence granted under Part VI. of the *Navigation Act 1912-1958*; and

(c) the employment of seamen for the purposes of a delivery voyage of a ship (whether British or not and, if British, whether registered in Australia or not), being seamen engaged in Australia (whether or not under articles of agreement entered into in Australia) upon terms entitling them to, or to payment in respect of the cost of, transport from or to Australia for the purpose of joining the ship, or after leaving the ship.

“ (2.) The last preceding sub-section shall not be construed as being subject to any territorial limitation that is not expressed in that sub-section.”.