

1923.
(SECOND SESSION).

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1° 27th June, 1923.

(Brought in by the Minister for Trade and Customs, the Honorable Austin Chapman.)

A BILL
FOR
AN ACT

To amend the *Seamen's Compensation Act 1911.*

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

5 1.—(1.) This Act may be cited as the *Seamen's Compensation Act 1923.* Short title and citation

(2.) The *Seamen's Compensation Act 1911* 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 1911-1923.*

10 2. The First Schedule to the Principal Act is amended— Agreements for lump sums

(a) by omitting paragraph (8.) thereof and inserting in its stead the following paragraph :—

“ (8.) Any question as to—
15 (a) who is a dependant ; or
(b) how the compensation shall be allotted among, or otherwise dealt with for the benefit of, the dependants

shall, in default of agreement, be settled by arbitration under this Act, or by a County Court. ” ;

20 (b) by omitting the proviso to paragraph (18.) thereof ; and
(c) by adding the following paragraph after paragraph (18.) thereof :—

“ (18A.) Nothing in the last preceding paragraph shall be construed as preventing agreements

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being made for the redemption of a weekly payment by a lump sum, but no agreement in regard to any matters dealt with by this Act shall be valid unless and until a memorandum of the agreement has been recorded by the prescribed authority in accordance with paragraph (8.) of the Second Schedule to this Act." 5

Recording of
memorandums
of agreements

3. The Second Schedule to the Principal Act is amended by adding in paragraph (8.) thereof, after the word "that" in subparagraph (d), the words "an agreement for a lump sum, or" 10

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NOTICE OF PROPOSED AMENDMENTS.

SEAMEN'S COMPENSATION BILL (1923).

(New Clauses to be proposed by Mr. Forde.)

That the following new clause be added to the Bill (to follow clause 2) :—

2A. The First Schedule of the Principal Act is amended—

- (a) by substituting the words "Six" in paragraph (1.) (a) (i) for "Five".
- (b) by substituting the words "Two pounds" for "Thirty shillings"; and "sixty-six and two-thirds" for "fifty" in paragraph 1 (b).
- (c) by substituting the words "sixty-six and two-thirds" for "fifty"; and "Twenty" for "Ten" in paragraph (b) of the proviso to paragraph (1.).

That the following new clause be added to the Bill (to further follow clause 2) :—

2B. The following new paragraph (No. 22) is added to the First Schedule of the Principal Act :—

22.—(1.) Notwithstanding anything contained in the Principal Act as to the rate of compensation, compensation for the injuries mentioned in the first column of the schedule hereto shall be assessed in the manner indicated in the second column of such schedule.

(2.) Nothing in such schedule shall limit the amount of compensation recoverable for any such injury during any period of total incapacity due to illness resulting from that injury but any sum so received shall be taken into account in estimating the compensation payable in accordance with such schedule.

SCHEDULE.

Nature of Injury.	Ratio of Compensation to Full Compensation as for Total Incapacity.
Loss of both eyes	100 per cent.
Loss of an only eye	100 "
Loss of both hands	100 "
Loss of both feet	100 "
Loss of a hand and a foot	100 "
Total and incurable loss of mental powers, involving inability to work	100 "
Total and incurable paralysis of the limbs or of mental powers ..	100 "
The total loss of the right arm or of the greater part of arm ..	80 "
The total loss of the left arm or of the greater part of arm ..	75 "
The total loss of the right hand or of five fingers of the right hand or of the lower part of the right arm	70 "
The total loss of the same for the left hand and arm	65 "
The total loss of a leg	75 "
The total loss of a foot or the lower part of the leg	60 "
The total loss of the sight of one eye, together with the serious diminution of the sight of the other eye	75 "
The total loss of hearing	50 "
The total loss of the sight of one eye	30 "
The total loss of the thumb of the right hand	30 "
The total loss of the thumb of the left hand	25 "
The total loss of the fore finger of the right hand	20 "
The total loss of the fore finger of the left hand	15 "
The total loss of part of the thumb of the right hand	15 "
The total loss of the little finger of the hand	12 "
The total loss of the middle or ring finger of the hand	8 "
The total loss of two joints of the fore finger of the right hand ..	12 1/2 "
The total loss of two joints of the fore finger of the left hand ..	10 "
The total loss of two joints of the little finger of the hand	8 1/2 "
The total loss of two joints of the middle or ring finger of the hand ..	6 1/2 "
The total loss of a toe or of a joint of a finger	5 "
Complete deafness of one ear	10 "

For the purposes of this Schedule—

- (a) The total loss of an eye or a limb, hand, foot, finger, thumb, or toe or any part thereof shall be deemed to include the permanent total loss of the use of such eye, limb, hand, foot, finger, thumb, toe, or part.
- (b) In case of the total loss of a limb, hand, foot, finger, thumb, or toe any compensation previously obtained under the Seamen's Compensation Acts in respect of the total loss of a joint or other part of such limb, hand, foot, finger, thumb, or toe shall be deducted from the compensation payable under this Schedule.
- (c) In case of the loss of both eyes or an only eye any compensation previously obtained under the said Acts in respect of the total loss of the sight of one eye shall be deducted from the compensation payable under this Schedule.

25th July, 1923.