

## WORKERS' COMPENSATION.

No. 34 of 1961.

### AN ACT to amend the *Workers' Compensation Act 1927.* [4 December 1961.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title  
and citation.

**1**—(1) This Act may be cited as the *Workers' Compensation Act 1961.*

(2) The *Workers' Compensation Act 1927*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** After section five of the Principal Act the following section is inserted:—

Waterside  
workers  
transferred  
between  
ports.

“5A—(1) Where a registered waterside worker is requested or required by the Commonwealth authority to engage in work in the employment of a registered employer at a port other than that at which that registered waterside worker is registered and for the purpose of so engaging in that work is being conveyed in a vehicle belonging to or hired or used by or on behalf of the Commonwealth authority he shall, while he is being so conveyed, be deemed to be in the employment of that registered employer.

“(2) Where a registered waterside worker, on the request or at the requirement of the Commonwealth authority engages in any work in the employment of a registered employer at a port other than that at which he is registered and, after any cessation of that work, is for the purpose of travelling to the port at which he is registered or to his place of residence, being conveyed in a vehicle belonging to or hired or used by or on behalf of the Commonwealth authority he shall, while he is being so conveyed, be deemed to be in the employment of the registered employer who last employed him before he was so conveyed.

“(3) Where a registered waterside worker, on the request or requirement of the Commonwealth authority, attends at or is conveyed to a port for the purpose of engaging in work in the employment of a registered employer he shall, for the purposes of subsection (2) of this section, if he is unable to engage in work in the employment of that employer, be deemed nevertheless to be so engaged, until he engages in work in

the employment of some other registered employer or until he leaves that port to return to the port at which he is registered (whichever first occurs).

“(4) Where a person is, by virtue of this section, deemed to be in the employment of a registered employer he shall, for the purposes of this Act be deemed to have entered into a contract of service with that registered employer and, subject to subsection (2) of section five, an injury by accident occurring to him during the conveyance by reason of which he is so deemed to be in the employment of that registered employer shall be deemed to have arisen out of and in the course of that employment.

“(5) In this section—

‘Commonwealth authority’ means the Australian Stevedoring Industry Authority or any other authority constituted or established under the Commonwealth stevedoring legislation that has the function of registering persons under that legislation;

‘Commonwealth stevedoring legislation’ means the *Stevedoring Industry Act 1956-1961* of the Commonwealth or any Commonwealth Act amending or having effect in substitution for that Act;

‘port’ means a port within the meaning of the Commonwealth stevedoring legislation at, or in respect of which, persons may be registered;

‘registered’ means registered under the Commonwealth stevedoring legislation;

‘registered employer’ means a person who, for the purposes of the Commonwealth stevedoring legislation, is registered as an employer;

‘registered waterside worker’ means a person who, for the purposes of the Commonwealth stevedoring legislation, is registered as a waterside worker.”

**3** Section thirty-three of the Principal Act is amended by omitting from subsection (1) the words “subject to the provisions of” and substituting therefor the words “except as is otherwise prescribed by or under”.

*Application of  
Local Courts  
Act 1896.*

**4** Section thirty-six of the Principal Act is amended—

*Regulations.*

(a) by omitting from paragraph I of subsection (1) the words “, and scales of costs to be allowed in respect thereof”;

(b) by inserting after that paragraph the following paragraph:—

“IA The scales of costs to be allowed in any proceedings under this Act, or the manner in which those costs are to be, or may be, determined:”; and

(c) by inserting after subsection (1) the following subsection:—

“(1A) Without prejudice to the generality of the provisions of subsection (1) of this section, regulations made for the purposes of paragraph 1A of that subsection may make provision for the application, with or without modification, to proceedings under this Act of the scales of costs that are for the time being applicable to any proceedings in the Supreme Court or in any other court.”.

Adaptation of amendments to the reprint of Principal Act.

**5**—(1) On and after the date of the reprinting of the Principal Act this Act is to have effect as if from section four of this Act the symbols “1” and “1A” (wherever occurring) were omitted and the symbols “(a)” and “(ab)”, respectively, were substituted therefor, and, on and from that date, the Principal Act, as amended by this Act, shall be construed accordingly.

(2) The Principal Act and this Act are, by force of this subsection, amended to such extent as may be necessary to give effect to the foregoing provisions of this section.

(3) Subject to this section, the provisions of this Act remain in full force and effect as if this section had not been enacted.

(4) In this section “date of the reprinting of the Principal Act” means the date of the giving of the certificate printed, pursuant to section six of the *Reprint of Statutes Act 1954*, in the volume of reprinted Acts published pursuant to that Act in which the reprint of the Principal Act is included.

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## PHARMACY.

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No. 35 of 1961.

AN ACT to amend the *Pharmacy Act 1908*.

[4 December 1961.]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

**1**—(1) This Act may be cited as the *Pharmacy Act 1961*.

(2) The *Pharmacy Act 1908*, as subsequently amended, is in this Act referred to as the Principal Act.

Exemption for sale of certain medicines and drugs.

**2** Section thirty-nine of the Principal Act is amended by omitting from subsection (1) the word “two” (first occurring) and inserting “four”.