

Regulations under the *Wards' Employment Ordinance*
1953-1960.

I ROGER BEDE NOTT, the Administrator of the Northern Territory of Australia, in pursuance of the powers conferred on me by the *Wards' Employment Ordinance* 1953-1960, and the *Administrator's Council Ordinance* 1959, hereby make the following Regulations.

Dated this fourth day of October, 1961.

ROGER NOTT
Administrator.

AMENDMENTS OF THE WARDS' EMPLOYMENT REGULATIONS.†

Parts.

1. Regulation 2 of the Wards' Employment Regulations is amended by omitting the words—

“Part X.—Compensation for Death or Injury (Regulations 48-53).”
and inserting in their stead the words—

“Part X.—Compensation for Death or Injury (Regulations 48-53H).”

2. After Regulation 53 of the Wards' Employment Regulations the following regulations are inserted:—

“53A.—(1.) An application for compensation—

(a) may be made by or on behalf of a ward in accordance with these Regulations;

(b) shall be in accordance with Form 1 in the Sixth Schedule to these Regulations; and

(c) shall be served on the employer.

“(2.) Where an application for compensation is signed by means of a mark, the signature shall be attested.

“53B. Two copies of the application shall be served on the Director and on receipt of the copies the Director shall lodge one copy with the clerk of the Court.

Application
for
compensation.

Two copies
to be served
on Director.

" 53C.—(1.) Within fourteen days after the service on him of an application for compensation the employer shall file with the clerk of the Court a notice in accordance with Form 2 in the Sixth Schedule to these Regulations—

Employer
to file
notice.

- (a) admitting liability and agreeing to pay the amount (if any) specified in the application;
- (b) admitting liability but disputing the amount (if any) specified in the application;
- (c) admitting liability and agreeing to pay such compensation as is assessed by the Court; or
- (d) totally denying liability.

" (2.) Where the employer does not file a notice within fourteen days in accordance with the last preceding sub-regulation he shall be deemed to have admitted liability and to have agreed to pay the amount (if any) specified in the application and if no amount is so specified, such compensation as is assessed by the Court.

" 53D.—(1.) The matter may be set down for hearing—

Matter to
be set down
for hearing.

- (a) after a notice under the last preceding regulation has been filed—by or on behalf of the ward or the employer; or
- (b) where, within fourteen days after the service on the employer of an application for compensation, the employer has not filed a notice under the last preceding regulation—by or on behalf of the ward.

" (2.) Notice that the matter has been set down for hearing shall be served on the employer or the ward, as the case requires.

" (3.) Where the party on whom such notice has been served fails to appear at the hearing and it is proved that he was served with such notice the Court may determine the matter in his absence.

" 53E. Where an application or notice is required to be served for the purposes of these Regulations, it may be served personally or by delivering it at, or sending it by post in a prepaid registered letter properly addressed to the residence or place of business of the person on whom it is to be served.

Mode of
service.

" 53F. If the Court is satisfied that the employer admits liability and agrees to pay the amount specified in the application, the Court may, without hearing the parties, make an award directing payment as compensation of the amount specified in the application.

Where
employer
admits
liability Court
may make
award without
hearing.

" 53G. In hearing an application for compensation the Court—

Special powers
and duties of
the Court.

- (a) shall not be bound to act in a formal manner and shall not be bound by any rules of evidence but may inform itself on any matter as it thinks just;
- (b) shall act according to equity, good conscience and the substantial merits of the case, without regard to technicalities and legal forms;
- (c) shall assess the compensation payable subject to the Fifth Schedule to these Regulations; and
- (d) may make such order as to costs as it thinks fit.

Court may
extend time.

"53H. Where good cause is shown that the time for the doing of an act under these Regulations should be extended, the Court may extend the time."

Sixth
Schedule.

3. After the Fifth Schedule to these Regulations the following Schedule is inserted:—

" SIXTH SCHEDULE.

FORM 1.

Reg. 53A.

THE NORTHERN TERRITORY OF AUSTRALIA.
Wards' Employment Ordinance 1953-1960.

APPLICATION FOR COMPENSATION.

To
(employer's name)

Application is hereby made for compensation payable under the *Wards' Employment Ordinance 1953-1960* for the death/injury of

(Name and address of ward)

Statement of injury
Date of injury
Date of death (where applicable)
Names and addresses of dependants
Amount claimed

Signed
(by or on behalf of ward)

* Witness

* The signature of a witness is required only where the application is signed by means of a mark.

" FORM 2.

Reg. 53C.

THE NORTHERN TERRITORY OF AUSTRALIA.
Wards' Employment Ordinance 1953-1960.

NOTICE ADMITTING OR DENYING LIABILITY.

With respect to my liability to pay compensation under the *Wards' Employment Ordinance 1953-1960* to

(Name of ward)

I hereby—

- * admit liability and agree to pay the amount specified in the application.
- * admit liability but dispute the amount specified in the application.
- * admit liability and agree to pay the compensation as assessed by the Court.
- * totally deny liability.

Signed
(employer)

Address

* Cross out whatever does not apply."