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FRIDAY, NOVEMBER 6.

[1914.

WORKERS' COMPENSATION ACT 1914 TO COME INTO OPERATION.

PROCLAMATION

By His Excellency the Honorable Sir Arthur Lyulph Stanley, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS by an Act of the Parliament of the State of Victoria passed in the fifth year of the reign of His present Majesty King George V., intituled the *Workers' Compensation Act 1914*, it is amongst other things enacted that the said Act "shall come into operation on a day to be proclaimed by the Governor in Council by proclamation published in the *Government Gazette*": Now therefore I, the Governor of the State of Victoria in the Commonwealth of Australia, by and

with the advice of the Executive Council of the said State, do by this my proclamation appoint the seventh day of November, One thousand nine hundred and fourteen, as the date on which the *Workers' Compensation Act 1914* shall come into operation in the said State of Victoria.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this second day of November, in the year of our Lord One thousand nine hundred and fourteen, and in the fifth year of the reign of His Most Gracious Majesty King George V.

(L.S.) A. L. STANLEY.

By His Excellency's Command,
J. MURRAY,
Chief Secretary.

GOD SAVE THE KING!

Workers' Compensation Act 1914.

REGULATIONS.

At the Executive Council Chamber, Melbourne, the sixth day of November, 1914.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Murray

Mr. Hagelthorn.

UNDER the powers in that behalf conferred by the *Workers' Compensation Act 1914* to make regulations for the purposes set out and referred to in section 39 of the same as well as under all other powers him enabling in that behalf the Governor of the State of Victoria and its dependencies in the Commonwealth of Australia by the advice of the Executive Council of the same doth make the regulations following (that is to say):—

1. These Regulations may be cited as the *Workers' Compensation Regulations 1914*, and shall take effect on the day proclaimed as the day when the *Workers' Compensation Act 1914* is to come into operation and are divided into Parts and Divisions as follows:—

Part I.—State Accident Insurance Business.

Division (1)—General.

Division (2)—Rates of Premium and risk covered thereby, &c.

Division (3)—Limitation of provisions to be inserted in Policies.

Part II.—Conditions on which approval to carry on Accident Insurance business will be granted.

Part III.—Regulation of times for examination of worker by a medical practitioner paid by employer.

Part IV.—Duties and fees of certifying and other Medical Practitioners and References to and Remuneration and expenses of Medical Referees under section 26 of the Act.

Part V.—Duties and Remuneration of Medical Referees under provisions of First and Second Schedule to the Act.

Division (1)—Definitions and General Regulations.

Division (2)—Regulations as to references under Schedule I. paragraph (14) of Act.

Division (3)—Regulations as to references under Schedule I. paragraph (17) of Act.

Division (4)—Regulations as to remuneration of Medical Referees for sitting as assessor under Schedule II. paragraph (3) of Act.

2. In these Regulations "Act" means the *Workers' Compensation Act 1914*. Interpretation of "Act."

PART I.—STATE ACCIDENT INSURANCE.

Division (1).—General.

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|---|--|
| Place of business. | 1. The office of the Insurance Commissioner shall be in Oxford Chambers, No. 473-481 Bourke-street, Melbourne, which is hereby appointed for that purpose, or such other place as the Minister may from time to time, by notice published in the <i>Government Gazette</i> , appoint. |
| Form of making proposals. | 2. Any employer desiring to enter into any contract under the said Act (herein referred to as "the proposer") shall make a proposal for the same in such form of proposal, agreement, and declaration as may be required by the Commissioner, and shall make and sign such declaration or declarations in connexion therewith prior to the issue of the policy, or on any renewal thereof as the Commissioner may require. |
| Policy to be issued. | 3. Upon payment of the premium payable in respect of any proposal accepted by the Commissioner, the Commissioner shall cause to be issued and delivered to the proposer a policy in the form applicable to the particular contract. |
| Policy not in force until payment of premium. | 4. No policy issued under the provisions of the said Act shall be in force as against the Commissioner until the first premium payable thereunder by or on behalf of the insured has been actually paid. |
| Proof of death or disablement. | 5. Death or disablement may be proved by the production of such evidence as the Commissioner deems necessary, having regard to the form of policy and to the circumstances of the case. |
| Proof of identity. | 6. The Commissioner may require a Statutory Declaration or other evidence as to the identity of the person killed or injured with the employé whose employer is insured under the policy. |
| Claims of insurers under Section 38 of the Act. | In the event of a claim being made by an employer to whom Section 38 of the Act applies, he shall support such claim by a Statutory Declaration. (a) that he has not insured the worker or workers with any other Insurer (b) that the worker was not, or the workers were not, employed by him for more than fourteen (14) days before notice of employment was given to the Commissioner. |

Division (2).—Rates of Premium and Risks Covered thereby &c.

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|------------------------|--|--|--|---|--|-------------------|--|---------------------------------------|--|-------------------------|---|-------------------------------------|---|---|--|---|--|-----------------------|--|-------------------------------|--|----------------|---|
| Rates in tables prescribed as those to be charged. | 7. The following tables fixing the rates of premium to be charged in connexion with State Accident Insurance Contracts in ordinary cases are hereby prescribed. In the case of workers specially liable to accident by reason of their age or any physical or mental infirmity or incapacity, or workers in some particular occupation where the risk of the individual case is greater than that usually involved in such occupation, the premium shall be such sum as the Insurance Commissioner may fix in each particular case without regard to the tables. | | | | | | | | | | | | | | | | | | | | | | | | |
| Rates net and minimum assessments in given cases. | 8. The rates of premium shall be net, and shall be computed upon the amount of wages, salaries, and other earnings paid and accrued to all employés in the employment of the insured, and shall be fixed by the Commissioner having regard to the nature of the risk, subject to the following minimum amounts:— | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="0"> <tr> <td style="padding-right: 20px;">Articled pupils</td> <td>The full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">All other apprentices, whether indentured or not</td> <td>The full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Doctors, dispensers, and their assistants</td> <td>The full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Waitresses</td> <td>The full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Barristers' clerks, for each employer</td> <td>The full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Billiard markers</td> <td>$\frac{3}{4}$ths of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Nurses and nursing probationers ...</td> <td>$\frac{3}{4}$ths of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Domestic servants employed in business premises</td> <td>60 per cent. of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Office and shop cleaners and caretakers</td> <td>60 per cent. of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Pupil teachers</td> <td>One half of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">News boys and errand boys ...</td> <td>One half of the full Premium rate per cent. according to Employers' classification</td> </tr> <tr> <td style="padding-right: 20px;">Waiters</td> <td>$1\frac{1}{2}$ times the full Premium rate per cent. according to Employers' classification</td> </tr> </table> | Articled pupils | The full Premium rate per cent. according to Employers' classification | All other apprentices, whether indentured or not | The full Premium rate per cent. according to Employers' classification | Doctors, dispensers, and their assistants | The full Premium rate per cent. according to Employers' classification | Waitresses | The full Premium rate per cent. according to Employers' classification | Barristers' clerks, for each employer | The full Premium rate per cent. according to Employers' classification | Billiard markers | $\frac{3}{4}$ ths of the full Premium rate per cent. according to Employers' classification | Nurses and nursing probationers ... | $\frac{3}{4}$ ths of the full Premium rate per cent. according to Employers' classification | Domestic servants employed in business premises | 60 per cent. of the full Premium rate per cent. according to Employers' classification | Office and shop cleaners and caretakers | 60 per cent. of the full Premium rate per cent. according to Employers' classification | Pupil teachers | One half of the full Premium rate per cent. according to Employers' classification | News boys and errand boys ... | One half of the full Premium rate per cent. according to Employers' classification | Waiters | $1\frac{1}{2}$ times the full Premium rate per cent. according to Employers' classification |
| Articled pupils | The full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| All other apprentices, whether indentured or not | The full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Doctors, dispensers, and their assistants | The full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Waitresses | The full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Barristers' clerks, for each employer | The full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Billiard markers | $\frac{3}{4}$ ths of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Nurses and nursing probationers ... | $\frac{3}{4}$ ths of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Domestic servants employed in business premises | 60 per cent. of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Office and shop cleaners and caretakers | 60 per cent. of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Pupil teachers | One half of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| News boys and errand boys ... | One half of the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |
| Waiters | $1\frac{1}{2}$ times the full Premium rate per cent. according to Employers' classification | | | | | | | | | | | | | | | | | | | | | | | | |

NOTE.—Domestic servants employed in business premises must be included at the trade rate.

and provided also that the minimum premium for any policy shall be in no case less than Five shillings (5s.)

9. Subject to the aforesaid minimums the premium shall not exceed in respect of every £100 or fraction thereof paid in wages and salaries the rate shown in the subjoined table, according to the category in which in the opinion of the Commissioner the risk should be classified.

(1) HOUSEHOLDERS, PRIVATE—

| | | |
|---|-----------------------|----------|
| (a) Employés occasionally employed ... | per employé per annum | 2s. 6d. |
| (b) Domestic servants, indoor ... | per servant per annum | 5s. |
| (c) Permanent gardeners and yardmen solely employed by assured ... | per employé per annum | 12s. 6d. |
| (d) Coachmen and grooms ... | per employé per annum | 15s. |
| (e) Chauffeurs ... | per employé per annum | 25s. |

(2) Clerical staffs (excluding offices at mines), attendants in art galleries, museums, and libraries ...

| | | |
|---|-----|-----------------|
| (3) (a) Assistants in retail or sale shops and softgoods warehouses | ... | 5s. to 10s. |
| (b) Other warehouses, wholesale shops and showrooms, and general stores in metropolitan area | ... | 7s. 6d. to 10s. |
| (c) Sale shops only (delivery wages only) | ... | 10s. to 20s. |
| (d) General stores in country districts | ... | 12s. 6d. |
| (e) Yardmen—Ironmongers and hardware merchants | ... | 15s. |

(4) TRADES, FACTORIES, AND OTHER EMPLOYMENT INVOLVING SKILLED LABOUR—

Light—

| | | | |
|---------------------------|--------------|-------------|------------------|
| (a) Without power | 4s. and 5s. | With power | 6s. |
| (b) Without power | 6s. | With power | 8s. to 15s. |
| (c) Without power | 7s. 6d. | With power | 10s. to 15s. |
| (d) Without power | 8s. | With power | 10s. |
| (e) Without fixing | 10s. to 15s. | With fixing | 12s. 6d. to 20s. |
| (f) With or without power | ... | ... | 7s. 6d. and 10s. |

Medium—

| | | | |
|---------------------------|----------|-------------------|-------------------|
| (a) Without power | 10s. | With power | 17s. 6d. to 30s. |
| (b) Without power | 12s. 6d. | With power | 17s. 6d. and 20s. |
| (c) Without power | 15s. | With power | 20s. to 25s. |
| (d) Without power | 17s. 6d. | With power | 20s. and 30s. |
| (e) Without slaughtering | 15s. | With slaughtering | 20s. |
| (f) With or without power | ... | ... | 12s. to 17s. 6d. |

Heavy—

| | | | |
|---------------------------|-------------------|-------------------|-------------------------|
| (a) Without power | 20s. | With power | 30s. |
| (b) ... | ... | ... | 22s. 6d. |
| (c) ... | ... | ... | 25s. |
| (d) ... | ... | ... | 30s. |
| (e) Without slaughtering | 22s. 6d. and 25s. | With slaughtering | 35s. |
| (f) With or without power | ... | ... | 20s., 22s. 6d. and 25s. |

Heavy and Dangerous—

| | | | |
|---------|-----|-----|------|
| (a) ... | ... | ... | 35s. |
| (b) ... | ... | ... | 40s. |
| (c) ... | ... | ... | 50s. |
| (d) ... | ... | ... | 60s. |

NOTE.—The principal Iron Trades range from 20s. to 30s.

(5) BUILDERS—

| | | |
|---|-----|----------|
| (a) Buildings not exceeding two storeys, including demolition | ... | 25s. |
| (b) All other buildings, excluding demolition | ... | 32s. 6d. |
| (c) All other buildings, with demolition | ... | 40s. |
| Demolition and/or removal | ... | 60s. |

(6) CONTRACTORS OTHER THAN BUILDERS—

| | | |
|--|-----|-------|
| (a) Driving sheep, shearers, ploughing, and fencing and ring-barking (no felling or splitting) | ... | 20s. |
| (b) Cattle droving and diamond drills | ... | 25s. |
| (c) Bath construction (inland), erection telegraph poles, mail (no mechanical power), reticulation works, rifle range construction, road construction (no blasting) | ... | 30s. |
| (d) Bridge building (no blasting or diving), fencing and ring-barking with felling and for splitting, railway (excluding blasting) and tramway construction in connexion with mines or saw-mills | ... | 35s. |
| (e) Bath construction (harbor and/or open sea), chaff-cutting and threshing, dam construction (without blasting), mail contracting with mechanical power, quarries (excluding blasting), road construction (with blasting) excluding quarrying or bridge building, sewers, and tramway construction (not in connexion with mines or saw mills) | ... | 40s. |
| (f) Dam construction (with blasting), dock, pier, sewer, &c. construction (without blasting and/or pile driving and/or air-lock work), and nightsoil contracting | ... | 50s. |
| (g) Bush felling and clearing (without blasting), dock, pier, sewer, &c. construction (with pile driving but no blasting, diving, or air-lock work), and railway (including blasting) | ... | 60s. |
| (h) Dock, pier, sewer, &c. construction (with blasting and/or diving and/or pile driving and/or air-lock work) | ... | 75s. |
| (i) Bush felling and clearing (with blasting), quarries (including blasting) | ... | 80s. |
| (j) Bridge building (including blasting and/or diving) | ... | 100s. |

| | | |
|---|-------------|------|
| (7) CLUBS— | | |
| (a) Social, residential and kennel | 10s. | |
| (b) Bowling and golf (excluding caddies) | 12s. | |
| Caddies for clubs, 2s. 6d. per caddie per annum. | | |
| (c) Tennis clubs | 12s. 6d. | |
| (d) Racing | 15s. | |
| (e) Yacht and clubs not otherwise rated | 20s. | |
| (f) Gymnasium | 25s. | |
| (g) Rifle | 60s. | |
| (h) Hunt | 80s. | |
| (8) LOCAL AUTHORITIES— | | |
| (a) Hospitals, schools, colleges, reformatories, refuges... .. | 6s. | |
| (b) Benevolent institutions and asylums other than insane | 10s. | |
| (c) Cemetery boards or trusts | 25s. | |
| (d) Dock and harbor boards | 35s. | |
| (e) Asylums for the insane | 60s. | |
| (9) PUBLIC AUTHORITIES— | | |
| Municipalities— | | |
| (a) Other than rated below (excepting electric light) | 12s. 6d. | |
| (b) Clerical Staff | 3s. | |
| (c) Rubbish destructor | 15s. | |
| (d) Water supply works, excluding sewerage (sewerage wages 35s. per cent.) | 17s. 6d. | |
| (e) Sanitary | 27s. 6d. | |
| (f) Quarrying (without blasting) | 40s. | |
| (g) Quarrying (with blasting) | 80s. | |
| Road Boards— | | |
| (a) No construction | 12s. 6d. | |
| (b) Construction (without blasting) | 27s. 6d. | |
| (c) Construction (with blasting) | 35s. | |
| Tramways— | | |
| (a) No construction works | 17s. 6d. | |
| (b) Construction works | 35s. | |
| Boards of Health | 12s. 6d. | |
| (10) SHIPPING— | | |
| (a) Motor boats and launches, private | 30s. | |
| (b) Steamers, inter-State and foreign-going passenger and cargo, motor boats and launches other than private, and lighters and barges (without stevedoring) | 40s. | |
| (c) Lake, harbor and bay steamers | 50s. | |
| (d) Coal hulks, and lighters and barges (with stevedoring) | 60s. | |
| (e) Steam trawlers | 70s. | |
| (f) Steamers—Inland, river, and yachts | 75s. | |
| (g) Pilot boats, and auxiliary-power vessels (lake, harbour and Bay | 80s. | |
| (h) Sailing vessels—Fishing boats | 90s. | |
| (i) Tugs and coastal steamers | 100s. | |
| (j) Auxiliary-power vessels, coastal | 105s. | |
| (k) Sailing vessels, coastal | 120s. | |
| (11.) TIMBER TRADE— | | |
| (a) Saw mills—Cooks | 15s. | |
| (b) Timber merchants, sash and door factories, &c., (no breaking down or timber getting, &c.) | 30s. | |
| (c) Timber merchants, &c. (including breaking down and cutting logs, &c., but no timber getting) | 40s. | |
| (d) Mills obtaining timber from bush, trucked, driven, &c. (including bush falling, &c.) | 60s. | |
| (e) Timber getting, felling, rafting, logging, tramway work and bush work of any kind | 80s. | |
| (12.) FIRE BRIGADES AND FIRE SALVAGERS | | 40s. |
| (13.) ENGINEERS— | | |
| (a) Civil and / or consulting, electrical (consulting only), &c. | 15s. | |
| (b) Mining (consulting only) | 27s. 6d. | |
| (c) Hydraulic | 30s. | |
| (d) Engineers and / or fitters, electrical | 40s. | |
| (14.) VARIOUS CALLINGS NOT OTHERWISE SPECIFIED— | | |
| (a) Jockeys, flat racing, 2s., and hurdle and steeplechasing, 6s. per mount; golfers' caddies, 5s. per caddie per annum | | |
| (b) Photographers, not travelling | 4s. | |
| (c) Churches, chapels, and other places of public worship, meteorologists | 5s. | |
| (d) Convents and monasteries (no public laundry work) | 6s. | |
| (e) Dentists, doctors, &c. | 6s. to 10s. | |
| (f) Piano tuners | 7s. 6d. | |
| (g) Pawnbrokers, sewing machine agents | 8s. | |
| (h) Billiard saloons, boarding-house keepers, china glass and crockery dealers, coffee palaces and temperance hotels, Customs and forwarding and / or shipping agents (without carrying), luncheon and tea rooms (excluding fish and / or oyster saloons), pastoral associations, photographers (travelling), tally clerks and trades unions | 10s. | |
| (i) Acclimatization societies and zoological gardens, bank messengers (no window cleaning), caretakers (no lifts), commercial travellers (no motor), florists' nurserymen, gardeners, halls, land and estate agents, picture shows (not travelling), poultry farmers, theatres and wine and spirit merchants | 12s. | |

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| (j) Auctioneers other than stock salesmen, crematoria, fish shop and oyster saloons, horticultural societies, kerosene, naphtha and benzine importers, markets (public) (not to apply to tenants), and salt gathering and stacking | 12s. 6d. |
| (k) Pleasure boat proprietors (rowing only), caterers, cold storage (fruit only), bond and free stores (excluding work on wharf and / or wharf sheds), dairymen, ferry boats (lake or river), hay and corn merchants (excluding chaffcutting), help companies, hotels, wine and beer shops, hop growers, installers of cash railways, insurance companies (outside staff), ironmongers and hardware merchants—yard, laboratories (not on mines), orchardists, pastry cooks (factory) (including delivery), and vigneron | 15s. |
| (l) Advertising agents and bill posters, garbage destructors | 16s. |
| (m) Asphalters, assayers and metallurgists (not on mines), carpet beating and cleaning, and lamp lighters | 17s. 6d. |
| (n) Agricultural labourers, agricultural and pastoral societies, agricultural contractors (ploughing and harvesting, &c.), architects, surveyor or clerk of work, baths (inland, swimming), bookmakers (on wages estimated at £4 per week per man), caretakers (with lift), caterers (railway refreshment rooms), charcoal burners (no tree felling), clerk of works, cold storage (other than fruit), electric light (installation in buildings), graziers, hay and corn merchants (including chaffcutting), lift men (in offices), marine stores dealer, pastoralists, picture shows travelling, pleasure boat proprietors, rabbiters, second-hand machinery dealers (without dismantling), shearers, sheep drovers, ship and/or yacht builders, and/or repairers (not exceeding 15 tons), sprinkler erectors, tramways (not at mines or saw mills) no construction, wheat stackers, and wool scourers | 20s. |
| (o) Bicycle and/or motor cycles, &c., garages (plying for hire), bottle dealers, tramway car builders (excluding Government workshops) | 22s. 6d. |
| (p) Auctioneers (stock), bus, cab, and coach proprietors (excluding mail contractors and vehicles with mechanical power), carters and carriers, furniture and parcels and express vans only; cattle drivers, chimney sweeps, concentrating plants (not on mines), condensing plants (not on mines), Customs and forwarding and / shipping agents (with carrying), cyanide plants (other than mines), diamond drillers, and/or artesian borers (not on mines), farriers, gymnasias, hide and skin stores, livery and bait stables (without horse-breaking), newspaper vendors (delivery), ring barking, bark stripping, veterinary surgeons | 25s. |
| (q) Bond and free stores (including work on wharves, and/or wharf sheds), chauffeurs (not private house), chimney building and repairing (under 50 feet), commercial travellers and / or their employes (with motor), electric light construction works (no blasting), ferry boat proprietors (within harbour), harbour and river steam tenders, merry-go-rounds and boat swing proprietors, motor bus and car proprietors, riggers, safe removers, well sinkers (without blasting), window cleaning | 30s. |
| (r) Clearing and grubbing (without blasting), chute proprietors and dock proprietors (no repairing) | 35s. |
| (s) Baths (swimming) in harbour or open sea, carters and carriers other than furniture and parcels express van proprietors, clay, fire salvagers, gravel, and sand pits, crushing works—quartz and/or stone (not on mines—no quarrying), electric light and power suppliers, including maintenance and extension of lines and other construction works (with blasting), hawkers, lime and cement works (no quarrying), marine surveyors, night watchmen, quarries (without blasting), second-hand machinery dealer (with dismantling), ship and/or yacht builders and/or repairers (exceeding 15 tons), stables—livery and bait (with horse breaking), traction engine proprietors | 40s. |
| (t) Post and rail splitters | 45s. |
| (u) Bailiffs, charcoal burners (with tree felling), circuses, coal and firewood dealers and/or suppliers (if any train or tram or wood getting risks), grooms (stud or training stables—no racing), private detectives, ship breakers | 50s. |
| (v) Coal lumpers, lime and cement (with quarrying) | 60s. |
| (w) Coal trimmers, horse trainers and racing stables (no racing risks), stud farms (no racing risks), well sinkers (with blasting) | 70s. |
| (x) Air lock diving and blasting, chimney building and repairing (over 50 feet), horse breakers (no racing), marine salvagers, markers at rifle ranges, X ray operators | 75s. |
| (y) Bicycle or motor cycle or motor garages or importers (not plying for hire) including risk of racing, pacing, track riding and the like, boats (fishermen's and smacks), bush felling (with blasting), clearing and grubbing (with blasting), quarrying (with blasting) | 80s. |
| (z) Stevedores | 100s. |

10 Every policy, issued at the foregoing rates, shall provide an indemnity to what risks the employer in respect of his liability under the *Workers' Compensation Act* covered by 1914 and any other Act of the State of Victoria in force at the commencement of premiums the indemnity (except the *Mines Act* 1897), and at Common Law, including all costs and expenses incurred with the consent of the Commissioner in connexion with any claim for such compensation.

Reduction of premium where risk under Act alone.

11. Every policy providing an indemnity to the employer in any industry or occupation included in the above table, in respect of his liability under the *Workers' Compensation Act 1914* only, shall be issued at a premium of 90 per cent. of the rate to cover his indemnity in the last preceding paragraph, provided that no such reduction shall be made in any case where the premium is calculated at a rate of less than 7s. 6d. per cent.

Premium for risks under Act (mining with exceptions).

12. Every policy providing an indemnity to an employer whose employes are engaged in mining operations (except those mentioned in paragraph 7 of this Schedule) either on the surface or underground, in respect of such employer's liability under the *Workers' Compensation Act 1914*, shall be issued at a premium not exceeding, in respect of every £100 or fraction thereof paid in wages and salaries, the rate of 60s.

Premium where additional risks (mining with exceptions) covered.

13. Every policy providing such an employer as in the last preceding paragraph mentioned with an indemnity in respect of his liability under the *Workers' Compensation Act 1914*, section 148 of the *Mines Act 1897*, Part III. of the *Employers and Employes Act 1890*, Part II. of the *Wrongs Act 1890*, and at Common Law shall be issued at the following premiums:—

| Disaster Limit. | Rate. | Minimum Premium. |
|-----------------|------------|------------------|
| £500 | 65s. % | £15 |
| £1000 | 65s. 9d. % | £20 |
| £1500 | 66s. 6d. % | £25 |
| £2000 | 67s. % | £30 |

And for each additional Disaster Limit of £500, over £2000, an additional rate of 6d. per cent. shall be payable.

Premium for certain mining risks (W.C.A.) covered.

14. Every policy providing an indemnity to an employer whose employes are engaged in mining operations, such as tin, sluicing, dredging, ore cyaniding, smelting, ore reduction, refining works, ore crushing batteries when carried on in connexion with underground mining, in respect of such employer's liability under the *Workers' Compensation Act 1914*, shall be issued at a premium not exceeding, in respect of every £100 or fraction thereof paid in wages and salaries, the rate of 40s.

Premium for certain mining risks (W.C.A. and other Acts, &c.) covered.

15. Every policy providing such an employer as in the last preceding paragraph mentioned with an indemnity in respect of his liability under the *Workers' Compensation Act 1914*, Section 148 of the *Mines Act 1897*, Part III. of the *Employers and Employes Act 1890*, Part II. of the *Wrongs Act 1890*, and at Common Law shall be issued at the following premiums:—

| Disaster Limit. | Rate. | Minimum Premium. |
|-----------------|------------|------------------|
| £500 | 42s. 3d. % | £7 10s. |
| £1000 | 42s. 9d. % | £10 |
| £1500 | 43s. 3d. % | £12 10s. |
| £2000 | 43s. 9d. % | £15 |

And for each additional Disaster Limit of £500, over £2000, an additional rate of 6d. per cent. shall be payable.

Interpretation of "disaster."

16. "Disaster," in paragraphs 13 and 15 of this Part, shall mean an accident or series of accidents arising out of one and the same cause, whereby more than one employe are killed or injured.

Division (3).—Limitation of Provisions to be inserted in Policies.

Provisions to be inserted in policies by insurers.

17. Every insurer issuing a policy of insurance or indemnity indemnifying an employer against his liability for accidents happening in Victoria in relation to workers' compensation under the *Workers' Compensation Act 1914* or any other Act or at common law or otherwise shall insert therein only such provisions as are in accordance with those contained in the form of policy for the time being used by the State Accident Insurance Office for the same class of risk.

PART II.—CONDITIONS ON WHICH APPROVAL TO CARRY ON ACCIDENT INSURANCE BUSINESS WILL BE GRANTED.

Interpretation.

18. "Insurer" shall mean any person or persons corporate or unincorporate who issue or are liable under policies of insurance against liability in relation to workers' compensation to which employers are subject under the *Workers' Compensation Act 1914* or any other Act or at common law or otherwise whether the head office or principal place of business of such person or persons is in Victoria or elsewhere.

Compliance with regulations shall be obligatory as a condition of Governor's approval.

19. For the purposes of Section 37 of the *Workers' Compensation Act 1914* it shall be obligatory for an insurer who desires to obtain the approval of the Governor in Council to comply with the conditions contained in these regulations.

Governor's approval to be obtained and deposit made before commencing business.

20. At the expiration of six months from the date of the commencement of the Act no insurer shall accept any premiums or carry on any new insurance business against liability in relation to workers' compensation to which employers are subject under the Act or any other Act or at common law or otherwise without having first obtained the approval of the Governor in Council and deposited in cash as hereinafter provided with the Treasurer of Victoria.

Amount of deposit increased under certain circumstances.

21. Notwithstanding the provisions hereinafter contained fixing specific sums by way of deposit the Governor in Council reserves to himself the right (in the case of any insurer who is found under-cutting the rates of premium to be charged in connexion with accident insurance for the time being fixed under the Act for the State Accident Insurance Office or who pays commission above the ruling rates or allows excessive bonuses or discount on premiums) as a condition to his granting or continuing his approval of the insurer under Section 37 of the Act to require such insurer to provide or increase the amount of his or its deposit commensurate with what the Governor in Council may consider necessary to safeguard the interests of policy-holders against the contingency of the funds of the insurer being found insufficient by reason of the insurer losing or expending income in connexion with such under-cutting or paying commission or the allowance of such excessive bonuses or discounts.

22. The amount to be deposited by an insurer shall be as follows:—
1. In the case of those insurers who have been transacting insurance business in this State for a period of at least five years and who satisfy the Governor in Council that their paid-up capital after providing for a reserve equal to £40 per cent. of premiums for unexpired risks is not less than £25,000, the sum of £6,000 provided that in the case of—
- (a) an acquired company, that is to say one whose business has been acquired by another company whether the former is continued in existence or not, or
- (b) in the case of a company in which another company holds the majority of the shares or has become in any way able to control or influence the policy of the management
- shall be required to deposit £3,000 and no more, provided further that no company which has carried on direct business within the Commonwealth and which has been re-formed or re-registered under the same or any other name, with or without additional powers (such company being one that actually or virtually replaces the old or constitutes a continuance of the old company) shall for the purposes of the concession be deemed an acquired company.
2. In the case of insurers who do not comply with the foregoing conditions: An applicant for the Governor in Council's approval shall submit with the application his or its last balance-sheet or statement of accounts and report together with any other information that the Minister administering the Act may in his discretion require. The approval of any such insurer will be contingent upon the insurer's financial position being deemed satisfactory and on the insurer lodging with the Treasurer such sum as the Governor in Council may require which sum shall not be less than £6,000.
23. (a) Deposits in cash shall be invested in Victorian Government Stock in the name of the Treasurer of Victoria in trust for the insurer. All deposits up to six months after the Proclamation of the Act shall carry interest from the date of the deposit at the rate of $4\frac{1}{2}$ per cent. for the first twelve months and $4\frac{1}{4}$ per cent. for any period not exceeding six years thereafter. Any insurer approved after a period of six months has elapsed from the date of the Proclamation shall be paid interest on any deposit at a rate to be agreed upon.
- (b) The interest on all securities lodged shall be paid to the Depositor.
- (c) The investment and redemption shall be at par.
24. Any approval granted by the Governor in Council shall only be operative for a period not exceeding twelve months from the date thereof and shall be renewed annually should the Governor in Council so direct regard being had to the commitments and financial position of the applicant.
25. Any deposit made by an insurer under these Regulations shall be primarily charged with the payment or satisfaction of claims made under the Act which are not otherwise satisfied.
26. In the event of any insurer being required under any Commonwealth law hereafter in force to make a deposit with a Commonwealth authority such insurer may arrange with the Commonwealth authorities to take over the securities representing such deposit in the hands of the Treasurer and on the securities being so taken over the obligation to continue to maintain a deposit as a condition to the insurers carrying on accident insurance business in Victoria shall be dispensed with anything in these regulations to the contrary notwithstanding.
27. The deposit of any insurer incorporated under the law of any part of the King's Dominions may be returned to it after a period of seven years has elapsed from the date of the lodgment thereof at the discretion of the Governor in Council provided nevertheless that where any deposit has been so returned the Governor in Council may require it to be re-deposited if and when he deems it advisable.
28. Should the Governor in Council be at any time satisfied that the value of the securities upon which any deposit is invested fall short of the prescribed amount either by reason of depreciation or owing to portion thereof having been applied for the purpose of discharging claims admitted or for which judgment has been obtained under the Act which are not otherwise satisfied an order may be made upon the insurer to restore the deposit to the correct amount. Should the insurer fail to make good the shortage such failure shall be a ground for the Governor in Council cancelling the approval of the insurer.
29. In the event of an insurer ceasing to carry on business in Victoria either by reason of the Governor in Council refusing to renew his approval or the insurer abandoning his accident insurance business in Victoria such insurer on satisfying the Treasurer that all outstanding claims and liabilities in respect of accident insurance business in Victoria have been discharged the insurer shall be entitled at the expiration of twelve months after the last policy has lapsed to have transferred to him or it any securities for the time being held by the Treasurer on his account under these Regulations.

PART III.—REGULATION OF TIMES FOR EXAMINATION OF WORKERS BY A MEDICAL PRACTITIONER PAID BY EMPLOYER.

30. Where a worker has given notice of an accident or is in receipt of weekly payments under the Act, he shall not be required to submit himself, against his will, for examination by a medical practitioner provided by the employer except at reasonable hours.

Intervals between examinations of worker in receipt of weekly payments.

31. A worker in receipt of weekly payments shall not be required, after a period of one month has elapsed from the date on which the first payment of compensation was made, or if the first payment is made in obedience to the award of a Judge or Magistrate, from the date of the award, to submit himself, against his will, for examination by a medical practitioner provided by the employer except at the following intervals:—Once a week during the second, and once a month during the third, fourth, fifth, and sixth months, after the date of the first payment or the award, as the case may be, and thereafter once in every two months.

Additional examination after second month when revision of payments sought.

Provided that where after the second month an application has been made to a Judge of the County Court or a Police Magistrate for a review of the weekly payment, the worker may be required, pending and for the purposes of the settlement of the application, to submit himself to one additional examination.

PART IV.—DUTIES AND FEES OF CERTIFYING AND OTHER MEDICAL PRACTITIONERS, AND REFERENCES TO AND REMUNERATION OF MEDICAL REFEREES UNDER SECTION 26 OF THE ACT.

Definitions.

Definitions.

32. In this Part—

- (i) "Worker" means a worker as defined in section 2 of the Act.
- (ii) "Certifying Medical Practitioner" means either the certifying medical practitioner mentioned in sub-section (1) of section 18 of the Act, or a medical practitioner appointed by the Governor in Council under section 26 of the Act to have the powers and duties of a certifying medical practitioner under the Act or a medical practitioner appointed or acting as a certifying medical practitioner under section 11 of the *Factories and Shops Act 1912*.
- (iii) "Medical Referee" means a medical practitioner appointed by the Governor in Council to act as medical referee for the purposes of the Act.
- (iv) The words "disease to which the Act applies" mean a disease mentioned in the Third Schedule to the Act or a disease or injury (not being an injury by accident) to which the provisions of section 18 of the Act have been extended by an Order made by the Governor in Council under section 25 of the Act.

Routine in connexion with application by worker for certificate of disablement.

33. Where a worker applies to a certifying medical practitioner for a certificate (hereinafter called "a certificate of disablement") that he is suffering from a disease to which the Act applies, and is thereby disabled from earning full wages at the work at which he was employed, the certifying medical practitioner, on payment of the prescribed fee, and after obtaining the particulars specified in the First Schedule to these regulations and such further information, if any, respecting the case as in the particular circumstances he may deem necessary, shall either proceed at once, if the application is made by the worker in person, to make a medical examination of the worker, or shall appoint forthwith a time and place for making such examination, and give notice thereof to the worker. Such notice, if given in writing, shall follow, as closely as may be, the form prescribed in the First Schedule.

Certificate by examining medical practitioner.

34. After personally examining the worker, the certifying medical practitioner shall either give the worker a certificate of disablement or shall certify that he is not satisfied that the worker is entitled to such certificate, and shall in either case deliver his certificate to the worker. The certificate given shall be in the form prescribed in the First schedule to these regulations.

Inference, unless rebutted, that disease in certificate of disablement due to nature of employment.

35. Where a certificate of disablement is given, and the case is one in which, under the provisions of section 24 of the Act as extended by any Order in Council made under section 25, the disease contracted by the worker will be deemed, unless the employer proves, or the certifying medical practitioner certifies, to the contrary, to have been due to the nature of the employment in the process in which at or immediately before the date of the disablement the worker was employed, the certifying medical practitioner, if he is of opinion that the disease contracted by the worker was not due to the nature of such employment, shall certify accordingly. Such certificate shall, where possible, be given simultaneously with, and included in, the certificate of disablement but may also be given separately on application by the employer and on payment of the prescribed fee; and in either case shall follow the form prescribed in the First Schedule to these regulations.

Medical practitioner giving certificates, &c., to retain copies, &c.

36. A copy of any certificate given by a certifying medical practitioner under the foregoing regulations shall, together with any other documents relating to the case, be retained and kept by the medical practitioner; and copies of any such certificate shall, on payment of the prescribed fee, be supplied by the medical practitioner to the employer and the worker.

Fees fixed for case of certifying medical practitioner.

37. The fees which the certifying medical practitioner shall be entitled to charge in respect of duties performed under the Act shall be as follows:—

Fees payable by the Worker.

- (i) For any certificate given under regulation 34—
A fee of 7s. 6d., and where the worker is unable to present himself for examination at the residence of, or other nearer place fixed by, the certifying medical practitioner, for every mile or portion thereof which the certifying medical practitioner is required to travel therefrom for the purpose of examining the worker, an additional fee of 2s. 6d.
- (ii) For a copy of any certificate obtained under regulation 36, a fee of 2s. 6d.

Fees payable by the Employer.

- (iii) Where the employer applies under regulation 35 for a certificate that the disease contracted is not due to the nature of the employment, in respect of every such application (to include the certificate, if given) a fee of 2s. 6d.
- (iv) For a copy of any certificate obtained under regulation 36, a fee of 2s. 6d.

References to Medical Referees.

38. Where an employer or worker is aggrieved by the action of a certifying medical practitioner in giving or refusing to give a certificate of disablement, he may--

- (a) if he is an employer, within seven days of the receipt of the notice of disablement, or, in case of disablement, if the notice is not accompanied by the certificate of the medical practitioner, or a copy thereof, and the employer forthwith requires the worker to furnish him with a copy, within seven days of the receipt of such copy, or
- (b) if he is a worker, within seven days of the date on which the medical practitioner has refused to give him a certificate of disablement,

apply to the registrar of the county court nearest to the place in which the worker was employed at the time of his examination by the medical practitioner, for the matter to be referred to a medical referee; provided that it shall be within the discretion of the registrar, on good cause shown, to extend in any case by not more than seven days the period within which an application is required to be made.

39. (a) Any application under the foregoing regulation shall be made in writing, and shall state the grounds on which the reference is asked for, in accordance with the form prescribed in the First Schedule to these regulations, or as near thereto as may be.

(b) The application shall be accompanied by the certificate or a copy of the certificate obtained from the medical practitioner by whose action the applicant is aggrieved, and by any available report or reports of any medical practitioner by whom the worker has been examined; and if the applicant is an employer, by the notice of disablement served on him by the worker, and by an undertaking to pay any reasonable travelling expenses incurred by the worker in attending for examination by the medical referee.

(c) The applicant shall also file with the registrar such copies of the application and other documents as aforesaid as may be necessary for the use of the medical referee and of the employer or worker, as the case may be, hereinafter referred to as the respondent, who together with the applicant is directly interested in the application.

(d) In the event of any dispute as to the amount of the travelling expenses payable to the worker by the employer, the matter may be referred to the registrar, whose decision shall be final.

40. It shall be the duty of the registrar on receiving an application to satisfy himself that it is duly made in accordance with the foregoing regulations, and if it is not, to return it for amendment. If and when the application is in accordance with the regulations, he shall refer the matter forthwith to a medical referee, and shall forward to such medical referee by registered post one of the copies of the application and the other documents filed therewith, with an order of reference according to the form prescribed in the First Schedule.

41. The registrar shall also make an order directing the worker to submit himself for examination by the medical referee. Before making such order the registrar shall inquire whether the worker is in a fit condition to travel for the purpose of examination, and if satisfied that he is in a fit condition shall by the order direct him to attend at such time and place as the referee may fix, and if satisfied that he is not in a fit condition to travel, shall so state in the order of reference; and it shall be the duty of the worker, on being served with the order, to submit himself for examination accordingly.

42. The registrar shall deliver or send by registered post to both parties a copy of the order of reference, and shall also send to the respondent copies of the other documents forwarded to the medical referee, and shall send to the worker a copy of the order directing him to submit himself for examination, with a notice of the consequences or effect of any refusal or obstruction to such submission for examination.

43. In the case of a reference under these regulations, the medical referee shall be one of those appointed by the Governor in Council for the place in which the case arises. Provided that if any medical referee is or has been specially appointed by the Governor in Council for the purpose of deciding on any specified case or class of cases in which a reference may be made under these regulations, the reference in any such case shall be made to the medical referee so appointed. Provided also that if the medical practitioner by whose action the applicant is aggrieved, has been appointed a medical referee, the reference shall not be made to him, but to such other medical referee as may be authorized to act.

44. The medical referee shall, on receipt of an order of reference duly signed by the registrar of a county court, together with copies of the documents required to be sent therewith, fix a time and a place for a personal examination of the worker, and shall send notice to the employer and worker accordingly. It shall be the duty of the worker, and, if the employer is the applicant, of the employer or a person duly authorized by him, to attend at the time and place fixed by the medical referee, and in the event of failure on the part of the worker or employer or both to appear as required by this regulation, the medical referee shall decide on the matter referred to him forthwith upon such information as shall be available and with or without a personal examination. Provided that where the absence of the employer or his representative or of the worker is shown to the satisfaction of the medical referee to be unavoidable, or where the medical referee considers it necessary to apply for expert assistance as hereinafter provided, it shall be open to him to adjourn the inquiry on the reference and to resume it at such time and place as he may fix, after giving due notice to all parties concerned.

45. Except as otherwise provided by regulation 44, the medical referee shall, before deciding on the matter referred to him, make a personal examination of the worker, and shall consider any statements made or submitted by either party.
46. The medical referee shall, in the form prescribed in the first schedule to these regulations (subject to such additions and modifications as the circumstances of the case may require) notify in writing his decision to the registrar of the county court, to the applicant and to the respondent.
47. The medical referee shall send to the Chief Secretary's office at the end of each quarter a statement (accompanied by any vouchers necessary), in the form prescribed in the First Schedule to these regulations, of the fees due to him for the quarter under these regulations.
48. The following fees and allowances are authorized to be paid to medical referees under this Part of these regulations:—
- (i) For deciding the matter referred to him in any reference and for all duties performed in connection therewith, 2 guineas.
- (ii) Where in order to examine the worker the medical referee is compelled to travel to a place distant more than two miles from his residence or such other centre as may be prescribed by the Governor in Council, in addition to the above fee, 5s. for each mile beyond two, and up to ten, miles distant from such residence or centre, and thereafter 1s. 6d. for each mile distant therefrom.
- (iii) In cases involving special difficulty the medical referee may apply for special expert assistance which may be granted by the Chief Secretary if he thinks fit, on such terms as to remuneration or otherwise as he may prior to the granting of such application with the sanction of the Treasurer determine.
49. In cases where a claim is made under regulation 48 (ii) in respect of an examination of a worker, the medical referee, in submitting his quarterly statement under regulation 47, shall certify the distance of the place where the examination was made from his residence or other prescribed centre.
50. The registrar of a county court shall keep a record, in the form prescribed in the First Schedule, of all references made by him under these regulations, and shall send the same to the Chief Secretary at the end of each quarter.

PART V.—DUTIES AND REMUNERATION OF MEDICAL REFEREES UNDER PROVISIONS OF FIRST AND SECOND SCHEDULES OF THE ACT.

Division (1).—Definitions and General Regulations.

51. In this part—
- (i) "Medical Referee" means a medical practitioner appointed by the Governor in Council to act as medical referee for the purposes of the *Workers' Compensation Act 1914*.
- (ii) "Reference" means—
- (a) in regulations in Division (2), the appointment of a medical referee by the registrar of a county court, to give a certificate, in accordance with the provisions of paragraph (14) of the first schedule to the *Workers' Compensation Act 1914*, as to the condition of the worker and his fitness for employment or as to whether or to what extent the incapacity of the worker is due to the accident.
- (b) in regulations in Division (3), the appointment of a medical referee by the registrar of a county court, to give a certificate, in accordance with the provisions of paragraph (17) of the first schedule to the *Workers' Compensation Act 1914*, as to whether the incapacity resulting from the injury is likely to be of a permanent nature.
- (iii) "Judge" means County Court Judge.
- (iv) "Magistrate" means a Police Magistrate.
- (v) The words "place in which the case arises" mean the place in which all the parties concerned reside, or, if they reside in different places, the place prescribed by rules of court in which proceedings may be commenced, subject to any transfer made under those rules.
52. In the case of any reference under these regulations, the medical referee, in the absence of special circumstances, shall be one of those appointed by the Governor in Council for the place in which the case arises. Provided that, where there has been a previous reference in any case, any subsequent reference in the same case shall, if possible, be made to the same referee and be accompanied by the previous report or certificate, or copy thereof, of the medical referee.
53. The medical referee shall not accept any reference under these regulations unless signed or countersigned by the registrar of a county court and sealed with the seal of the county court.
54. The medical referee shall send to the Chief Secretary's Office at the end of each quarter statements, in the forms prescribed in the second schedule to these regulations, of the fees due to him for the quarter under these regulations.
55. In cases where a claim is made under the regulations in respect of travelling expenses, the medical referee, in submitting his quarterly statements under regulation 54, shall certify the distance of the place to which he was required to travel from his residence or other prescribed centre.
56. In cases involving special difficulty the medical referee may apply to the Chief Secretary for special expert assistance which may be granted by the Chief Secretary, if he thinks fit, on such terms as to remuneration or otherwise as he may with the sanction of the Treasurer determine.
57. The registrar of every county court shall keep a record, in the form prescribed in the second schedule, of all references made under these regulations, and of all cases in which a medical referee is summoned to sit as assessor, and shall send a copy thereof to the Chief Secretary at the end of each quarter.

Referee to personally examine worker.

Form of notification by referee as to result of examination.

Referee to supply to Chief Secretary quarterly account of fees.

Fees fixed for case of medical referees.

Referee in furnishing account to give particulars of mileage, &c.

Registrar to keep record of references.

Interpretation.

In absence of special circumstances reference to be to referee for place in which cases arises.

Reference to be signed by registrar and have court seal.

Referee to furnish quarterly statement of fees.

Statement of travelling expenses with quarterly statement.

Chief Secretary may allow referee special expert assistance.

Registrar to keep record of all references and send copy quarterly to Chief Secretary.

Division (2).—Regulations as to References under Schedule I., Paragraph (14).

58. The medical referee shall, on receipt of a reference duly signed and sealed, fix a time and place for the examination of the worker, and shall send notice accordingly to both the parties signing the application on which the reference is made.

On receipt of reference referee to send notice to parties fixing time and place of examination.

59. Before giving the certificate required by the reference, the medical referee shall personally examine the worker and shall consider any statements that may be made or submitted by either party.

Referee before certifying to personally examine worker.

60. The certificate given by the medical referee shall be according to the form prescribed in the Second Schedule to these regulations.

Form of certificate.

61. The medical referee shall forward his certificate to the registrar from whom he received the reference.

Certificate to be sent to Registrar.

62. The following shall be the scale of fees to be paid to medical referees in respect of references under this Division of these regulations:—

Scale of referee fees.

- (i) For a first reference (to include all the duties performed in connection therewith) ... 2 guineas.
(ii) For a second or subsequent reference to the same medical referee in the same case ... 1 guinea.
(iii) Where in order to examine the injured worker the medical referee is compelled to travel to a place distant more than 2 miles from his residence or such other centre as may be prescribed by the Governor in Council, in addition to the above fees—5s. for each mile beyond 2, and up to 10 miles distant from such residence or centre, and thereafter 1s. 6d. for each mile distant therefrom.

Division (3).—Regulations as to References under Schedule I., Paragraph (17).

63. The medical referee shall, on receipt of a reference duly signed and sealed, fix a time and place for the examination of the worker, and shall send notice accordingly to the worker.

Referee to notify parties of time and place of examination.

64. Before giving the certificate required by the reference the medical referee shall make a personal examination of the worker.

Referee before certifying to personally examine worker.

65. The certificate given by the medical referee shall be according to the form prescribed in the second schedule to these regulations.

Form of certificate.

66. The medical referee shall forward his certificate to the registrar from whom he received the reference.

Certificate to be sent to registrar.

67. The fee to be paid to a medical referee in respect of a reference (to include all the duties performed in connexion therewith) under this Division of these regulations shall be one guinea.

Division (4).—Regulation as to Remuneration of Medical Referee for sitting as Assessor under Schedule II., Paragraph (3).

68. Where a medical referee attends on the summons of the Judge or Magistrate for the purpose of sitting with the Judge or Magistrate as an assessor, as provided for in paragraph (3) of the Second Schedule to the Workers' Compensation Act 1914, he shall be entitled for such attendance (to include his services as assessor) to a fee not less than 3 guineas and such further amount as the Judge or Magistrate, having regard to the time occupied and which amount the Chief Secretary sanctions, may certify as proper requirement of the service, and where in order so to attend on the Judge or Magistrate, he is compelled to travel to a place distant more than 2 miles from his residence or such other centre as may be prescribed by the Governor in Council, he shall be entitled, in addition to the above fee, to 5s. for each mile beyond 2, and up to 10, miles distant from such residence or centre, and thereafter to 1s. for each mile distant therefrom.

Remuneration of referee sitting as an assessor.

And the Honorable John Murray, His Majesty's Chief Secretary for the State of Victoria, shall give the necessary directions herein accordingly.

F. W. MABBOTT, Clerk of the Executive Council.

FIRST SCHEDULE.

(FORM 1.)

Particulars to be obtained by Certifying Medical Practitioner upon application by Worker for Certificate of Disablement.

- 1. Name and address of worker ...
2. Disease in respect of which certificate is applied for ...
3. Symptoms complained of ...
4. Employment to the nature of which disease is attributed ...
5. Name and place of business of employer who last employed worker in such employment ...
6. (Where application is not made by worker in person) whether worker is able to travel for purposes of examination ...

(FORM 2.)

Notice to Worker of time and place appointed for his Examination by Medical Practitioner.

Workers' Compensation Act 1914.

I hereby give you notice, with reference to your application for a certificate of disablement under the above-named Act, that I propose to examine you at ... on the ... day of ... at ... o'clock, and that you are required to submit yourself for examination accordingly.

To (the Worker). (Signed)

(FORM 3.)

Certificate of Disablement.

Workers' Compensation Act 1914.

I, (a) as a certifying medical practitioner appointed by the Governor in Council to have the powers and duties of a certifying medical practitioner for the purposes of section 18 of the Act hereby certify that having personally examined (a) on the day of (b) "he" or "she." I am satisfied that (b) is suffering from (c) being one of the diseases to which the Workers' Compensation Act applies, and is thereby disabled from earning full wages at the work at which (b) has been employed; and I* certify that the disablement commenced on the day of (c) name disease according to the terms in which it is described in the Third Schedule to the Act or Order of the Governor in Council adding it to the schedule.

1. Full name and address of worker ...
2. Process in which worker states he was employed at or immediately before the date of disablement ...
3. Name and place of business of employer stated by worker to have last employed him in process above-mentioned ...
4. Leading symptoms of disease ...

Dated this day of (Signed)

* If the medical practitioner is unable to certify a date on which the disablement commenced, he should strike out this part of the certificate. In that case the disablement will be deemed to have commenced on the date on which the certificate is given. See section 23 of the Act.

(FORM 4.)

Certificate (supplementary to a Certificate of Disablement) to be given by Certifying Medical Practitioner in circumstances mentioned in Regulation 4.

1. When the certificate is included in the certificate of disablement, it should run as follows:—

But whereas the said worker appears to have been employed at or immediately before the date of disablement in (a) being a process (b) the second column of the Third Schedule to the Act, and the disease was contracted by him, viz. (c) is a disease which (d) is set opposite the above-named process, I hereby certify that in my opinion the said disease is not due to the nature of such employment

Dated this day of (Signed)

2. When the certificate is given separately on a subsequent application of the employer, it should be in the following form:—

Workers' Compensation Act 1914.

Whereas I, the certifying medical practitioner appointed by the Governor in Council to have the powers and duties of a certifying medical practitioner for the purposes of section 18 of the above-named Act, on the day of (e) certified that (e) was suffering from (f) being a disease to which the Workers' Compensation Act applies, and was thereby disabled from earning full wages at the work at which he was employed; and whereas the said (e) appears to have been employed at or immediately before the date of disablement in (g) being a process (h) the second column of the Third Schedule to the Act, and the disease above-named is a disease which (i) is set opposite the above-mentioned process, I hereby certify that, in my opinion, the said disease was not due to the nature of such employment.

Dated this day of (Signed)

(FORM 5.)

Certificate of Certifying Medical Practitioner refusing to give Certificate of Disablement.

Workers' Compensation Act 1914.

I, as a certifying medical practitioner appointed by the Governor in Council to have the powers and duties of a certifying medical practitioner for the purposes of section 18 of the above Act, hereby certify that having personally examined (a) who has applied for a Certificate of Disablement in respect of (b) being a disease to which the Workers' Compensation Act applies, I am not satisfied that (c) is suffering from the said disease so as to be disabled from earning full wages at the work at which (c) has been employed.

1. Full name and address of worker ...
 2. Employment to nature of which disease complained of was attributed ...
 3. Name and place of business of employer stated by worker to have last employed him in such employment ...
- Dated this day of (Signed)

(FORM 6.)

Application by Employer for Reference to Medical Referee.

(a) In the matter of the *Workers' Compensation Act 1914*, and
 In the matter of a Certificate of Disablement granted in the case of
 [name and address of worker] in pursuance of the provisions of section 18 of
 the above-mentioned Act and the regulations made thereunder by the
 Governor in Council.

(a) name of
 place in which
 proceedings
 commenced or
 transferred.

Application for a reference in the above-mentioned matter to a medical
 referee, pursuant to section 22 of the Act and to the above-mentioned regulations,
 is hereby made on behalf of [name and place of business of applicant]
 who states:—

1. That on the _____ day of _____ notice of disablement was
 given to the applicant by the above-mentioned _____
 of the said Act. under the provisions

2. That the said notice was consequent on a certificate of disablement given
 on the _____ day of _____, in pursuance of the said Act and regulations,
 by Mr. _____ residing at [full address], the certifying medical
 practitioner appointed by the Governor in Council to have the powers and duties
 of a certifying medical practitioner for the purposes of section 18 of the said
 Act.

3. That the applicant is aggrieved by the action of the above-mentioned
 Mr. _____ in giving the said certificate and claims that the said
 had not contracted the disease in respect of which the said certificate was given
 [or, in the case of a certificate of disablement, was not suffering from the disease
 therein specified so as to be disabled from earning full wages at the work at
 which he was employed], in support of which claim he mentions the following
 circumstances:—(*)

And the applicant hereby undertakes, if the matter is referred to a medical
 referee, to repay to the said [worker] any reasonable travelling
 expenses he may incur in attending for examination by such referee.

* State grounds
 for claim, e.g.,
 report of any
 doctor employed
 by applicant

Two copies of this application are annexed hereto, together with a copy of
 the notice and certificate of disablement (The above-mentioned report of the
 medical practitioner employed by me, and two copies thereof, are also annexed.)

Dated this _____ day of _____

(Signed)

Applicant.

To the Registrar of the County Court at _____ in _____

(FORM 7.)

Application by Worker for Reference to Medical Referee.

(a) In the matter of the *Workers' Compensation Act 1914*, and
 In the matter of a refusal of a certifying medical practitioner to give a
 Certificate of Disablement to [name and address of applicant]
 in pursuance of the provisions of section 18 of the above mentioned Act
 and the regulations made thereunder by the Governor in Council.

(a) Name of
 place where
 proceedings
 commenced or
 transferred.

Application for a reference in the above-mentioned matter to a medical
 referee, pursuant to section 22 of the said Act and to the above-mentioned
 regulations, is hereby made on behalf of the said _____
 who states:—

1. That on the _____ day of _____ applicant applied to
 Mr. _____ residing at [full address] the certifying
 medical practitioner appointed by the Governor in Council to have the powers
 and duties of a certifying medical practitioner for the purposes of section 18 of
 the said Act, for a certificate of disablement in respect of _____ a disease to
 which the provisions of section 18 of the *Workers' Compensation Act* apply.

2. That the said Mr. _____ refused to give the applicant a certificate of
 disablement and certified to such refusal by a certificate, dated the
 day of _____, which is annexed to this application.

3. That the applicant is aggrieved by the action of the said Mr. _____ in
 refusing to give him a certificate of disablement and claims that he was suffering
 from the said disease, and was thereby disabled from earning full wages at the
 work at which he was employed in support of which claim he mentions the
 following circumstances:—(*)

4. That the employer on whom the applicant, if the matter is referred to a
 medical referee and decided in favour of the applicant, would serve the statutory
 notice of disablement is [name and place of business of employer].

* State grounds
 of claim, e.g.,
 report, if any, of
 doctor employed
 by applicant.

Two copies of this application and the certificate of the medical practitioner,
 together with the above-mentioned report of the medical practitioner employed
 by applicant and two copies thereof, are annexed hereto.

Dated this _____ day of _____

(Signed)

Applicant.

To the Registrar of the County Court at _____

(FORM 8.)

Order of Reference to Medical Referee.

(a) Name of place where proceedings commenced or transferred.

(a)

[Heading as in Application.]

On the application of [a copy of which is hereto annexed], I hereby appoint Mr. [] of [] one of the medical referees appointed by the Governor in Council for the purposes of the *Workers' Compensation Act 1914*, to decide on the matter arising on the said application.

Copies of the notice and certificate of disablement, [and of a report of a medical practitioner by whom the worker referred to in the application has been examined], are hereto annexed.

Or, if the worker is the applicant,

A copy of the certificate of the medical practitioner referred to in the application [together with a copy of a report of a medical practitioner by whom applicant has been examined], is hereto annexed.

The said [], who is now at [], has been directed to submit himself for examination by the referee.

I am satisfied that the said [] is in a fit condition to travel for the purpose of being examined, and he has been directed to attend on the referee for examination at such time and place as may be fixed by the referee.

[Or the said [] does not appear to be in a fit condition to travel for the purpose of being examined.]

Dated this [] day of []

Registrar of the County Court at []

(FORM 9.)

Order on Worker to submit himself for Examination by Medical Referee.

(a) Name of place where proceedings commenced or transferred.

(a)

[Heading as in Application.]

To A.B. [], of [address and description].

TAKE NOTICE, that I have appointed Mr. [] of [], one of the medical referees appointed by the Governor in Council for the purposes of the *Workers' Compensation Act 1914*, to decide on the matter arising on the above application.

You are hereby required to submit yourself for examination by the referee [add, where worker is in a fit condition to travel, and to attend for that purpose at such time and place as may be fixed by him]. If you refuse to submit yourself for such examination or in any way obstruct the same, your right to compensation (or your right to any weekly payment) shall be suspended until such examination has taken place.

Dated this [] day of []

Registrar of the County Court at []

(FORM 10.)

Notice by Medical Referee to Worker.

Workers' Compensation Act 1914.

I hereby give you notice that I have received from the Registrar of the County Court at [], an order of reference appointing me to decide on your appeal against the action of Mr. [name of medical practitioner] in refusing to give you a certificate of disablement.

Or, if the employer is the appellant, [name of employer] on the appeal made by [name of medical practitioner] against the action of Mr. [name of medical practitioner] in giving you a certificate of disablement;

And that you are required to attend [or, if the worker has been ascertained not to be in a fit condition to travel, to submit yourself] for examination at [] on the [] day of [] at [] o'clock.

Any statement made or submitted by you shall be considered.

(Signed)

Medical Referee.

To

(FORM 11.)

Notice by Medical Referee to Employer.

Workers' Compensation Act 1914.

I hereby give you notice that I have received from the Registrar of the County Court at [], an order of reference appointing me to decide on your appeal against the action of Mr. [name of medical practitioner] in giving a certificate of disablement to [name of worker].

Or, if the worker is the appellant, [name of worker] on the appeal made by [name of medical practitioner] against the action of Mr. [name of medical practitioner] in refusing to give him a certificate of disablement;

And that I propose to examine [name of worker] at [] on the [] day of [] at [] o'clock.

Any statement made or submitted by you shall be considered.

Add, if the employer is the appellant,

You, or some person duly authorized by you, are hereby required to attend at the above time and place.

Dated this [] day of []

(Signed)

Medical Referee.

To

(FORM 12.)

Decision of Medical Referee.
[Heading as in Application.]

I hereby give you notice that having duly inquired into the above-mentioned matter in accordance with the regulations of the Governor in Council, I decide as follows :—

I dismiss [or allow] the appeal of [name of employer] against the certificate of disablement given to [name of worker] on the day of

or

I dismiss the appeal of [name of worker] against the refusal of Mr. [name of medical practitioner] to give him a certificate of disablement in respect of [name of disease].

or

I allow the appeal of [name of worker] against the refusal of Mr. [name of medical practitioner] to give him a certificate of disablement in respect of [name of disease], and I fix the day of as the date on which the disablement commenced,

Dated this day of

(Signed)

Medical Referee.

To [the Registrar],
and to [the Employer],
and to [the Worker].

(FORM 13.)

Medical Referee's Statement of Fees in respect of References under Section 18 of the "Workers' Compensation Act 1914."

| Number of Matter. | Names of Parties. | Date on which Reference received from Registrar. | Registrar from whom received. | Date of Examination. | Place of Examination. | Date of Decision. | Terms of Decision. | AMOUNT OF FEES UNDER EACH OF THE HEADINGS IN REGULATION 18. | | |
|-------------------|-------------------|--|-------------------------------|----------------------|-----------------------|-------------------|--------------------|---|--|---------------------|
| | | | | | | | | Deciding Matter. | Mileage (See Certificate of Distance and Scale of Fees on back). | Expert Assistance.* |
| | | | | | | | | (£2 2s.) (9) | (10) | (11) |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | £ | s. | d. |
| Totals | | | | | | | | Total £ | | |

* A reference should be given to the Chief Secretary's Office Number of the letter authorizing the expenditure, and each payment should be supported by a voucher.

I hereby certify that I examined the worker on at Endorsement to which is distant miles from my residence [or prescribed be made on back of Statement].

(Signed)

(FORM 14.)

Record of References to be kept by Registrar.
For the quarter ended

| Number of Matter. | Names of Parties. | Action of Medical Practitioner by which Applicant is aggrieved. | Nature of Disease.* | Date on which Reference forwarded to Referee. | Whether worker directed to attend on Referee or not. | Date on which Registrar received notification of Referee's Decision. | Name of Medical Referee appointed. |
|-------------------|-------------------|---|---------------------|---|--|--|------------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| | | | | | | | |

(a) Name of place where proceedings commenced or transferred.

* Describe in terms of the Third Schedule to the Act or of the Orders in Council.
NOTE.—If in any case the fees of the Medical Referee have been or are to be paid otherwise than from the Treasury, a note to that effect should be appended.

SECOND SCHEDULE.

(FORM A.)

Notice by Medical Referee to Employer or Barrister and Solicitor signing the Application on Employer's behalf (Schedule I. (14)).

Workers' Compensation Act 1914.

To
I hereby give you notice that in accordance with the Reference made to me by the Registrar of the County Court at _____, under Schedule I., paragraph (14), of the above-named Act, in the case of [name and address of worker] I propose to examine the said _____ at _____ on the _____ day of _____ at _____ o'clock. Any statements made or submitted by you [or, if notice is addressed to the solicitor, by the employer], will be considered.

Dated this _____ day of _____
(Signed) _____

Medical Referee.

(FORM B.)

Notice by Medical Referee to Worker or Barrister and Solicitor signing the Application on Worker's behalf (Schedule I. (14)).

Workers' Compensation Act 1914.

To
I hereby give you notice that in accordance with the Reference made to me in your case [or, if notice is addressed to the barrister and solicitor], in the case of [name and address of worker], by the Registrar of the County Court at _____, under Schedule I., paragraph (14), of the above-named Act, I propose to examine you [or the said _____] at _____ on the _____ day of _____ at _____ o'clock.

And you are required to submit yourself [or the said _____ is required to submit himself] for examination accordingly.

Any statements made or submitted by you [or, if notice is addressed to the barrister and solicitor, by the worker] will be considered.

Dated this _____ day of _____
(Signed) _____

Medical Referee.

(FORM C.)

Certificate of Medical Referee as to Condition of Worker and fitness for employment, or as to whether or to what extent Incapacity of Worker is due to the Accident (Schedule I., (14)).

Workers' Compensation Act 1914.

In accordance with the Reference made to me by the Registrar of the County Court at _____ upon the application of [names and addresses of parties] I have on the _____ day of _____ examined the said [name of worker] and I hereby certify as follows:—

1. The said _____ is*
and his condition is such that he is†

2. The incapacity of the said _____ is‡

NOTE.—Either paragraph 1 or paragraph 2 to be filled up, or both to be filled up, according to the terms of the Reference.

Dated this _____ day of _____
(Signed) _____

Medical Referee.

(FORM D.)

Notice by Medical Referee to Worker (Schedule I. (17)).

Workers' Compensation Act 1914.

To
I hereby give you notice that in accordance with the Reference made to me in your case by the Registrar of the County Court at _____ under Schedule I, paragraph (18), of the above-named Act, I propose to examine you at _____ on the _____ day of _____ at _____ o'clock, and you are required to submit yourself for examination accordingly.

Dated this _____ day of _____
(Signed) _____

Medical Referee.

(FORM E.)

Certificate of Medical Referee (Schedule I. (17)).

Workers' Compensation Act 1914.

In accordance with the Reference made to me by the Registrar of the County Court at _____ under Schedule I, paragraph (18), of the above-named Act, I have on the _____ day of _____ examined _____ of _____ (name and address of worker) and I hereby certify that his incapacity is [or is not] likely to be of a permanent nature.

Dated this _____ day of _____
(Signed) _____

Medical Referee.

*Describe state of health.
†State whether worker is fit for his ordinary or other work, specifying where necessary the kind of work, whether he is unfit for work of any kind.
‡State whether or to what extent the incapacity is due to the accident (or, in cases coming within section 18 of the Act, to the disease).

(FORM E.)

Medical Referee's Statement of Fees in respect of References under Schedule I. (14).

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | Amount of Fees under each of the Headings in Regulation 13. | | | | (12) | | | | | | | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|---|-----|------|------|------|----|---|----|----|---|----|----|---|----|----|--|--|
| | | | | | | | (8) | (9) | (10) | (11) | | | | | | | | | | | | | |
| | | | | | | | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | £ | s. | d. | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| Totals .. | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | Total £ | | | | | | | | | | | | | | | | |

* A reference should be given to the Chief Secretary's Office Number of the letter authorizing the expenditure, and each payment should be supported by a voucher.

I hereby certify that I examined the worker on _____ on _____ miles from my residence (or _____ at _____ which is distant _____ miles from my residence (or _____ prescribed centre). _____ Endorsement to be made on back of Statement.

(Signed)

(FORM G.)

Medical Referee's Statement of Fees in respect of References under Schedule I. (17).

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | |
|-----------|-----|-----|-----|-----|-----|-----|---------|-----|----|
| | | | | | | | £ | s. | d. |
| | | | | | | | | | |
| Totals .. | | | | | | | | | |
| | | | | | | | Total £ | | |

* A reference should be given to the Chief Secretary's Office Number of the letter authorizing the expenditure, and each payment should be supported by a voucher.

(Signed)

(FORM H.)

Medical Referee's Statement of Fees in respect of attendances to sit as Assessor under Schedule II. (3).

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | Fees under Regulation 19. | | |
|-----------|-----|-----|-----|-----|-----|-----|---------------------------|-----|----|
| | | | | | | | (8) | (9) | |
| | | | | | | | £ | s. | d. |
| | | | | | | | | | |
| Totals .. | | | | | | | | | |
| | | | | | | | Total £ | | |

* If the Medical Referee has to attend on more dates than one in the same case, the necessary particulars of each attendance should be given on a separate line.

I hereby certify that I attended on the _____ day of _____ on the _____ Judge at _____ which is distant _____ miles from my residence _____ (or prescribed centre). _____ Endorsement to be made on back of Statement.

(Signed)

(FORM I.)

Record of References and Summonses to be kept by Registrar.

County Court at _____ for the Quarter ended _____

| (1) | (2) | (3) | References under Sch. I. (14), or I. (17). | | | | Summonses to sit as Assessor (Sch. II. (3).)* | | | (11) | (12) |
|-----|-----|-----|--|-----|-----|-----|---|-----|------|------|------|
| | | | (4) | (5) | (6) | (7) | (8) | (9) | (10) | | |
| | | | | | | | | | | | |

* If in any case the fees of the Medical Referee have been or are to be paid otherwise than from the Treasury, a note to that effect should be appended.
 † Each attendance should be entered on a separate line.
 ‡ If the Medical Referee did not sit, a brief statement of the reasons should be appended.