

1958/15



**THE WORKERS' COMPENSATION ORDER 1957,
AMENDMENT NO. 1**

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 5th day of February 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Workers' Compensation Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Workers' Compensation Order 1957, Amendment No. 1, and shall be read together with and deemed part of the Workers' Compensation Order 1957* (hereinafter referred to as the principal order).

(2) This order shall come into force on the seventh day after the date of its notification in the *Gazette*.

(3) Nothing in this order shall apply with respect to claims for compensation or other rights or liabilities in respect of accidents happening before the commencement of this order.

2. Clause 8 of the principal order is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) For the purposes of paragraph (b) of section 22 of the Act—

“(a) Subject to paragraphs (b), (c), (d), (e), and (f) of this subclause, the maximum amount in respect of the first occasion of medical or surgical attendance shall be £1, and in respect of any subsequent occasion shall be 12s. 6d.:

“Provided that if on any occasion the examination and treatment of the patient necessitates the attendance of the medical practitioner for a continuous period of more than thirty minutes, there shall be payable in addition to the above amounts the sum of 5s. for each fifteen minutes of that attendance in excess of thirty minutes:

“Provided also that in respect of any occasion for which mileage fees would have been payable under section 5 of the Social Security Amendment Act 1941, if that section had applied, there shall be payable in addition to the above amounts the amount of the mileage fees which would have been so payable:

*S.R. 1957/56

- “(b) Paragraph (a) of this subclause shall not apply with respect to specialist medical services (being medical services that involve the application of special skill and experience of a degree or kind that general medical practitioners as a class cannot reasonably be expected to possess) rendered with the approval of the insurer of the employer, or, where the employer is not required to insure, with the approval of the employer:
- “(c) Paragraph (a) of this subclause shall not apply with respect to medical or surgical attendance on a worker while he is an in-patient in any hospital:
- “(d) The maximum amount in respect of any occasion of laboratory diagnostic services shall be the relevant amount prescribed in the Social Security (Laboratory Diagnostic Services) Regulations 1946* or in any regulations replacing them:
- “(e) The maximum amount in respect of any occasion of physiotherapeutic services shall be the sum of the amounts prescribed in the Social Security (Physiotherapy Benefits) Regulations 1951†, or in any regulations replacing them, as the fee payable to the contractor from the Social Security Fund and the maximum fee to be claimed from the patient as a condition of payment of the fee from the Social Security Fund:
- “(f) The maximum amount in respect of any occasion of X-ray diagnostic services shall be double the amount prescribed in the Schedule to the Social Security (X-ray Diagnostic Services) Regulations 1941‡, or in any regulations replacing them, as being the relevant fee payable to Radiological Specialists:
- “(g) The maximum amount in respect of the total sum payable for medical or surgical attendance, other than attendance on a worker while he is an in-patient in any hospital, shall be £50:
- “(h) The maximum amount in respect of the total sum payable for medical or surgical attendance on a worker while he is an in-patient in any hospital shall be £50.”

T. J. SHERRARD,
Clerk of the Executive Council.

*S.R. 1946/24 (Reprinted, S.R. 1954/204)

†S.R. 1951/43 (Reprinted, S.R. 1956/135)

‡S.R. 1941/122 (Reprinted, S.R. 1957/141)

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order amends the Workers' Compensation Order 1957 by prescribing the payment, by way of allowable medical expenses, of mileage fees where a doctor attends an injured worker away from his surgery or residence and outside a borough. In addition there is an amendment to clarify the maximum amount payable in respect of any occasion of X-ray diagnostic services, and to provide for a special maximum allowable amount for attendance on hospital in-patients.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 February 1958.

These regulations are administered in the Department of Labour.