

1963/31



THE WORKERS' COMPENSATION ORDER 1963

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 25th day of February 1963

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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 1963.

(2) This order shall come into force on the 1st day of April 1963.

(3) Except as hereinafter expressly provided, 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. In this order the expression "the Act" means the Workers' Compensation Act 1956.

Compensation for Total Incapacity

3. (1) For the purposes of subsection (1) of section 14 of the Act,—

(a) The minimum amount shall be £2 11s. a week:

(b) The maximum amount shall be £10 5s. a week.

(2) This clause shall apply with respect to compensation payable after the commencement of this order for any period after the commencement of this order in respect of accidents happening before or after the commencement of this order.

Compensation for Partial Incapacity

4. For the purposes of subsection (3) of section 14 of the Act, the maximum amount shall be £10 5s. a week.

Child's Allowance on Death

5. (1) For the purposes of subsection (1) of section 20 of the Act, the amount of the allowance shall be £50.

(2) For the purposes of subsection (2) of section 20 of the Act, the maximum amount of the allowance shall be £50.

Allowance for Wife or Housekeeper, or Child, on Total Incapacity

6. (1) For the purposes of paragraphs (a) and (b) of subsection (4) of section 20 of the Act, the rate of the allowance shall be £1 a week.

(2) For the purposes of paragraph (c) of subsection (4) of section 20 of the Act, the rate of the allowance shall be 10s. a week.

(3) This clause shall apply with respect to compensation payable after the commencement of this order for any period after the commencement of this order in respect of accidents happening before or after the commencement of this order.

Personal Attendance Allowance

7. For the purposes of section 21 of the Act, the rate of the allowance shall be £2 a week.

Medical and Funeral Expenses

8. (1) For the purposes of paragraph (a) of section 22 of the Act, the maximum amount in respect of funeral expenses shall be £75.

(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 30 minutes, there shall be payable in addition to the above amounts the sum of 5s. for each 15 minutes of that attendance in excess of 30 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:

- (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 on the recommendation of the medical practitioner who has attended the worker:
- (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.

Transport Expenses

9. For the purposes of section 26 of the Act, the maximum amount shall be £50.

Revocations

10. The orders specified in the Schedule to this order are hereby revoked.

SCHEDULE

ORDERS REVOKED

Title	Serial No.
The Workers' Compensation Order 1957	1957/56
The Workers' Compensation Order 1957, Amendment No. 1	1958/15
The Workers' Compensation Order 1957, Amendment No. 3	1961/21
The Workers' Compensation Order 1957, Amendment No. 4	1962/137

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

*S.R. 1946/24 (Reprinted with amendments Nos. 1 to 3: S.R. 1954/204)

Amendment No. 4: (*Revoked by S.R. 1960/16*)

Amendment No. 5: (*Revoked by S.R. 1962/187*)

Amendment No. 6: S.R. 1962/187

†S.R. 1951/43 (Reprinted with amendments Nos. 1 and 2: S.R. 1956/135)

Amendment No. 3: S.R. 1957/17

Amendment No. 4: S.R. 1958/87

Amendment No. 5: S.R. 1962/215

‡S.R. 1941/122 (Reprinted with amendments Nos. 1 to 3: S.R. 1957/141)

Amendment No. 4: S.R. 1959/139

Amendment No. 5: S.R. 1960/7

EXPLANATORY NOTE

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

This order replaces the Workers' Compensation Order 1957 and its amendments. The only changes from the existing order are the elimination of the maximum amounts in respect of the total sum for medical expenses, the allowance for keeping artificial aids or limbs in repair, and the cost of repair or replacement of teeth, artificial aids, limbs, or clothing damaged by accident. These changes are consequential upon the provisions of the Workers' Compensation Amendment Act 1962.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 February 1963.

These regulations are administered in the Department of Labour.