



**AN BILLE UM CHUITEAMH DO LUCHT OIBRE
(LEASU), 1952.**

**WORKMEN'S COMPENSATION (AMENDMENT)
BILL, 1952.**

Mar a tugadh isteach.

As introduced.

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. The appointed day.
3. Amendment of section 3 of Act of 1948.
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6. Amendment of Third Schedule to Act of 1934.
7. Amendment of section 7 of Act of 1948.
8. Modification of section 60 of Act of 1934.
9. Short title, collective citation and construction.



AN BILLE UM CHUITEAMH DO LUCHT OIBRE
(LEASU), 1952.

WORKMEN'S COMPENSATION (AMENDMENT)
BILL, 1952.

BILL

5

entitled

AN ACT TO AMEND THE ENACTMENTS RELATING TO
COMPENSATION TO WORKMEN FOR INJURIES
SUFFERED IN THE COURSE OF THEIR EMPLOY-
MENT, AND IN PARTICULAR TO EXTEND THE 10
BENEFITS OF THE ENACTMENTS TO ADDITIONAL
INCOME GROUPS; TO PROVIDE FOR INCREASED
WEEKLY PAYMENTS TO INJURED WORKMEN; AND
IN THE CASE OF DEPENDANTS OF WORKMEN
FATALLY INJURED TO MAKE FURTHER AND 15
BETTER PROVISION FOR THE ASSESSMENT AND
PAYMENT OF COMPENSATION BY WAY OF LUMP
SUM; AND TO SAFEGUARD THE RIGHTS OF INJURED
WORKMEN OR THEIR DEPENDANTS IN RESPECT OF
THEIR ELECTION UNDER SECTION 60 OF THE 20
WORKMEN'S COMPENSATION ACT, 1934.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Definitions.

1.—In this Act:—

Act of 1934.

the expression “ Act of 1934 ” means the Workmen's Compensation
Act, 1934 (No. 9 of 1934);

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Act of 1948.

the expression “ Act of 1948 ” means the Workmen's Compensation
(Amendment) Act, 1948 (No. 23 of 1948).

**The appointed
day**

2.—The Minister for Social Welfare may by order appoint a
day to be the appointed day for the purposes of this Act, and in
this Act the expression “ the appointed day ” means the day so
appointed, which day shall in any event be not later than sixty
days after the passing of this Act.

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**Amendment of
section 3 of
Act of 1948.**

3.—(1) In paragraph (a) of section 3 of the Act of 1948 the
word “ twice ” is hereby substituted for the words “ two-thirds of ”.

(2) In paragraph (b) of section 3 of the Act of 1948 the words 35
“ ninety shillings ” are hereby substituted for the words “ fifty
shillings ”.

**Amendment of
section 5 of
Act of 1934.**

4.—(1) In paragraph (a) of subsection (2) of section 5 of the
Act of 1934 as amended by section 4 of the Act of 1948 the
words “ eight hundred pounds ” are hereby substituted for the 40
words “ five hundred pounds ”.

(2) The amendment effected by *subsection* (1) of this section shall
not apply to any case where the accident happened before the
appointed day.

- 5.—In the Second Schedule to the Act of 1934 every sum of money specified therein shall be read as if it were multiplied by three. Amendment of the Second Schedule to Act of 1934.
- 5 6.—(1) (a) In the Third Schedule to the Act of 1934 the following rule is hereby substituted for rule 2 :— Amendment of Third Schedule to Act of 1934.
- “ 2. The weekly payment shall in no case exceed ninety shillings ”.
- 10 (b) Subject to subsection (2) of this section paragraph (a) of this subsection shall come into operation on the appointed day and shall apply in relation to the computation of a weekly payment by way of compensation under the Act of 1934 or the Act of 1948, notwithstanding that the accident happened before the appointed day.
- 15 (2) Where a workman is entitled to a weekly payment by way of compensation under the Act of 1934 or the Act of 1948 in respect of a week commencing before and ending on or after the appointed day, the amendment effected by subsection (1) of this section shall not apply in respect of him until the expiration of that week.
- 20 7.—(1) In paragraph (i) and paragraph (ii) of subsection (2) of section 7 of the Act of 1948 the words “ ninety shillings ” are hereby substituted for the words “ fifty shillings ”. Amendment of section 7 of Act of 1948.
- (2) This section shall come into operation on the appointed day.
- 25 8.—Where an injury to a workman is caused by the personal negligence or wilful act of his employer or of some person for whose act or default the employer is liable and the workman accepts compensation within the meaning of the Act of 1934 from the employer then notwithstanding any rule of law or anything contained in the Act of 1934 such acceptance of compensation shall not operate to debar the workman from taking proceedings against the employer independently of the Act of 1934, unless the Court in which such proceedings are heard is satisfied that at the time of such acceptance of compensation the workman knew of his right to take proceedings against the employer independently of the Act of 1934. Modification of section 60 of Act of 1934.
- 35 9.—(1) This Act may be cited as the Workmen's Compensation (Amendment) Act, 1952. Short title, collective citation and construction.
- (2) The Workmen's Compensation Acts, 1934 and 1948, and this Act may be cited together as the Workmen's Compensation Acts, 1934 to 1952.
- 40 (3) The Workmen's Compensation Acts, 1934 and 1948, and this Act shall be construed as one.

BILLE

(mar a tugadh isteach)

dá ngairmtear

Acht do leasú na n-achtachán a bhaineas le cúiteamh d'oibrithe i leith díobhála a bhain dóibh i gcúrsa a bhfostaíochta, agus go háirithe do thabhairt tairbhí na n-achtachán d'ioncam-ghrúpaí breise; do dhéanamh socrúithe le haghaidh íocaíochtaí seachtainiúla méadaithe le hoibrithe díobhálaíthe; agus, i gcás cleithiúnaithe oibrithe a ndearnadh díobháil bháis dóibh, do dhéanamh socrúithe bhreise agus feabhsaithe i dtaobh measúnú agus íoc cúitimh i bhfoirm chnapshuime; agus do chaomhaint cearta oibrithe díobhálaíthe nó a geleithiúnaithe i leith a roghan faoi Alt 60 den Acht um Chúiteamh do Lucht Oibre, 1934.

An Teachta Liam Ó Neachtain a thug isteach agus na Teachtaí Séamus Ó hÍceadha, Liam Ó Daimhin agus Séamus Ó Lorcáin ag cuidiú leis.

Do hordaíodh, ag Dáil Éireann, do chlóbhuailadh, 28ú Samhain, 1952.

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais
An Stuaire Árd Oifig an Phoist, Baile Átha Cliath, nó trí
aon díoltóir leabhar.

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[Raol Glan.]

Wt. 4032—2053. 625. 12/52. C.&Co. (1643).

BILL

(as introduced)

entitled

An Act to amend the enactments relating to compensation to workmen for injuries suffered in the course of their employment, and in particular to extend the benefits of the enactments to additional income groups; to provide for increased weekly payments to injured workmen; and in the case of dependents of workmen fatally injured to make further and better provision for the assessment and payment of compensation by way of lump sum; and to safeguard the rights of injured workmen or their dependents in respect of their election under Section 60 of the Workmen's Compensation Act, 1934.

Introduced by Deputy William Norton, supported by Deputies James Hickey, William Davin and James Larkin.

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