

Bill No. 43 of 1936.

A BILL TO AMEND THE WORKMEN'S COMPENSA-
TION ACT (ACCIDENT FUND).

NOTE.

The amendment made by section 2 makes it possible for the Board to function when there is only one member.

Section 3 amends the section dealing with the powers of the Board to subclassify and differentiate between different kinds of employment in the same class having regard to the extent of the hazards incidental thereto.

Section 4 gives the Board discretionary powers to extend the period prescribed by the Act for reporting the occurrence of hernia.

Section 5 is designed to state with greater clarity the duty of the Board as to the repair, maintenance and renewal of apparatus furnished to a workman by the Board.

Section 6 does away with the minimum prescribed in respect of the subsistence allowance to a workman undergoing medical treatment.

Section 7 validates all assessments heretofore made.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 43 of 1936.

An Act to amend The Workmen's Compensation Act
(Accident Fund).

(Assented to _____, 1936.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Workmen's Compensation Act (Accident Fund) Amendment Act, 1936.*"

2. *The Workmen's Compensation Act (Accident Fund)*, being chapter 177 of the Revised Statutes of Alberta, 1922, is hereby amended by striking out sections 7 and 8 thereof and by substituting therefor the following:

"7. In the case of the absence of any commissioner or commissioners, or of his or their inability to act, and in the case of any vacancy or vacancies on the Board, the commissioner or commissioners present may exercise all the jurisdictions and powers of the Board."

3. The said Act is further amended as to section 16 thereof,—

(a) by striking out the words "of the industries mentioned in Schedule 2 of this Act", where the same occur in paragraph (b) of subsection (1) thereof, and by substituting therefor the word "industry"; and

(b) by adding at the end of subsection (1) thereof the following new paragraph:

"(c) to establish such subclassifications, differentials and proportions in the rates as between the different kinds of employment in the same class as may be deemed just, and where any particular industry is shown to be so circumstanced or conducted that the hazard is greater than the average of the class or subclass to which such industry is assigned, to impose upon such industry a special rate, differential or assessment to correspond with the excessive hazard of such industry."

4. The said Act is further amended as to section 44a thereof by striking out subsection (4) thereof and by substituting therefor the following:

"(4) In any case in which it is made to appear to the Board that the failure of the workman to report to his employer within the period mentioned in paragraph (c) of

subsection (1) hereof or make the submission provided for in subsection (2) hereof, involves hardship in the workman, and if in the opinion of the Board the claim is a just one and ought to be allowed the Board may in its discretion in either such event increase the period for such report or such submission, as the case may be, to such an extent as the Board deems fair and reasonable in the circumstances."

5. The said Act is further amended as to section 45 thereof by striking out subsection (5) thereof and by substituting therefor the following:

"(5) The Board shall provide for the repair, maintenance and renewal of any apparatus provided by the Board pursuant to subsection (2) of this section whether such apparatus was provided before or after the enactment hereof which becomes in need of repair, maintenance and renewal by reason of accident, ordinary wear and tear and through no misconduct on the part of the workman so long as the disability in respect of which such apparatus was supplied continues, and the cost thereof shall be defrayed out of the medical aid fund after one year from the date such apparatus was originally provided."

6. The said Act is further amended as to section 60 thereof by striking out the words "or less than one dollar and one-half", where the same occur in subsection (6a) thereof.

7. All assessments heretofore imposed or purporting to have been imposed by, on behalf of or on the authority of the Board and each and every one of them are validated and confirmed and declared to be legal, valid and binding upon those upon whom they were imposed or upon whom they purported to have been imposed, and the same shall not be open to question in any court whatsoever.

8. This Act shall come into force on the day upon which it is assented to.

No. 43.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to amend The Workmen's
Compensation Act (Accident
Fund).

Received and read the

First time

Second time

Third time

HON. MR. HUGILL.

EDMONTON:
A. Shnitka, King's Printer
1936