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No. , 1912.

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## A BILL

To provide for allowances in cases of death or disablement of sewer miners from accident or certain diseases ; for that purpose to constitute a fund and provide for contributions by sewer miners and their employers and from the Consolidated Revenue Fund, and to apply certain provisions of the Miners' Accident Relief Acts ; to amend the Workmen's Compensation Act, 1910 ; and for purposes consequent thereon or incidental thereto.

[MR. EDDEN ;—            *October, 1912.*]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

*Preliminary.*

**1.** (1) This Act may be cited as the "Miners' Accident Relief Short title.  
(Sewer Miners) Act, 1912," and shall commence and have effect on and from a date to be notified by the Governor in the Gazette.

(2) This Act shall be construed with the Miners' Accident Relief Act, 1900, the Miners' Accident Relief (Amendment) Act, 1901, and the Miners' Accident Relief (Amendment) Act, 1910, which Acts are hereinafter referred to as the Principal Acts.

The said Acts are hereinafter referred to severally as the Principal Act, the Act of 1901 and the Act of 1910.

**2.** In this Act, unless the context otherwise indicates,—

Interpretation,

“District” means district for which a committee is established under this Act.

“Sewer miners” means and includes rockchoppers, and any miners, labourers, and other persons employed in or about sewer construction works.

“The board” means the Miners' Accident Relief Board.

**3.** (1) Committees shall be established as follows:—

Appointment of committees.

(a) For the district comprising the county of Cumberland, there shall be a committee consisting of—

two persons nominated by the Minister; and

three persons nominated by the Rockchoppers' Union.

(b) The Governor may, by proclamation in the Gazette, declare any area outside the county of Cumberland to be a district, and for every such district there shall be a committee consisting of—

two persons nominated by the Minister; and

three persons nominated by the sewer miners employed in such district.

(2) Such committees shall be appointed by the Governor for the periods prescribed. Any such committee may be referred to as “the committee for the district.”

(3) Any such proclamation may be varied or revoked and a new proclamation may be made by the Governor by proclamation in the Gazette.

**4.** (1) Every employer of sewer miners within a district shall, on pay-day, deduct from the amount then payable for or on account of wages in respect of the employment by him of any sewer miner at any time since the next preceding pay-day the sum of sixpence for each week of such employment, and shall, when and as prescribed, pay the aggregate of such sums to the committee for the district.

Deductions from wages.

Where a sewer miner leaves his employment when part only of a week has elapsed since the last pay-day, his employer shall forthwith make deduction as aforesaid for the whole of such week, as if such employment had continued during such week, and thereupon such sewer miner shall be exempt from any further deduction for such week.

(2) If any such employer fails to make any such deduction as above directed, he shall be liable to a penalty not exceeding *twenty* pounds.

5. (1) There is hereby constituted a fund, vested in and to be administered by the board, and called the "New South Wales Sewer Miners' Accident Relief Fund." The board shall have the same powers and duties in relation to such fund as it has under section eleven of the Principal Act in relation to the fund constituted by that Act. Payments to fund.

(2) There shall be paid into the said fund—

- (a) by every employer of sewer miners within a district a sum equal to one-half of the aggregate of the sums deducted under the last preceding section in respect of sewer miners employed by him within such district; such payments shall be made quarterly, and such quarters shall begin on the first day of January, April, July, and October of each year;
- (b) out of the Consolidated Revenue Fund an amount equal to the aggregate payments of such employers.

Such payments shall be made at the times and in the manner prescribed.

(3) There shall be paid out of the said fund the amounts necessary for the payment of allowances granted by committees of districts under this Act.

6. (1) Any committee for a district may grant allowances in accordance with the provisions of the Principal Acts and any Acts amending the same in case of the death or disablement of any sewer miner caused primarily— Powers and duties of committees.

- (a) by any accident occurring after the commencement of this Act in or about any rockchopping or sewer construction works; or
- (b) by the disease or complaint known as pneumoconiosis or rockchopper's disease contracted at any time in or about rockchopping or sewer construction works, where such death or disablement has occurred after the commencement of this Act.

All such allowances shall be granted in the amounts and manner and subject to the conditions prescribed by the Principal Acts and any Acts amending the same in respect of allowances to persons employed in or about mines.

(2) The committee shall pay any allowances so granted by it out of any moneys deducted as aforesaid from wages and paid under this Act to the committee, and, so far as such payments are insufficient, out of any moneys paid for that purpose to the committee by the board, and shall each fortnight pay any moneys in its hands not required for such allowances into the fund constituted by this Act. Payment of allowances.

7. The Minister and the board shall have the same powers and duties in relation to committees and allowances under this Act and in relation to the fund constituted under this Act as he or it has in relation to committees for mines and allowances and in relation to the fund constituted under the Principal Acts. Powers and duties of Minister and board.

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**8.** Such of the provisions of sections seventeen and nineteen of the Principal Act as relate to owners or managers of mines shall apply to employers of sewer miners within any district. Principal Act, ss. 17 and 19.

**9.** The regulations made under the Principal Acts shall, until otherwise provided by regulations made under this Act, Regulations. mutatis mutandis, apply to the provisions of this Act so far as the same are applicable, and the power to make regulations under the Principal Act is extended to authorise the making of regulations for carrying out the provisions of this Act.

**10.** (1) The provisions of the Workmen's Compensation Act, 1910, shall not apply to sewer miners who are employed within a district. Workmen's Compensation Act not to apply.

(2) This Act shall bind the Crown.

**11.** Penalties provided under this Act or by any regulation incorporated or made thereunder may be recovered in any court of petty sessions. Application to Crown. Recovery of penalties.

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