

MINE WORKERS' RELIEF (WAR SERVICE).

4° GEO. VI., No. IV.

No. 4 of 1940.

AN ACT to make special provision for the protection of the rights and interests of Mine Workers, within the meaning of the Mine Workers' Relief Act, 1932-1934, who are continuously engaged on War Service in time of War.

[Assented to 9th October, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Mine Workers' Relief* Short title. (*War Service*) *Act*, 1940, and shall be read in conjunction with the Mine Workers' Relief Act, 1932-1934, hereinafter referred to as the principal Act.

Interpretation.

2. In this Act, unless the context requires otherwise—

- (1) Wherever the terms “the Board,” “the Fund,” “Laboratory,” and “mine worker” are used, such terms shall have the same meanings respectively as they have when used in the principal Act.
- (2) Wherever the terms “time of war,” “war” and “war service” are used, such terms shall have the same meanings respectively as they have when used in the Commonwealth Defence Act as amended from time to time.

Special provisions to apply to mine workers while on war service in time of war.

3. Where a mine worker, either by reason of enlistment or being called up, is engaged on war service continuously during the time of war, then, notwithstanding anything to the contrary contained in the principal Act, the following provisions shall apply to such mine worker whilst he is engaged on such war service, and for the period of six months thereafter, that is to say:—

- (a) he shall be deemed still to be employed as a mine worker so as to enable him to submit himself for examination, and to be examined by the Laboratory, and to obtain any medical or other certificate as provided for under the principal Act and the regulations made thereunder;
- (b) his liability to contribute to the Fund as a mine worker under the principal Act shall be wholly suspended;
- (c) if upon examination by the Laboratory, as provided for in paragraph (a) of this section the mine worker is found to be eligible for any benefit under the principal Act, and he is then no longer engaged on war service, then, subject to paragraph (d) hereof, he shall be entitled to receive from the Board out of the Fund the benefit for which he has been found eligible as aforesaid, notwithstanding that during his war service or the period of six months thereafter, his liability to contribute to the Fund has been suspended as provided for in paragraph (b) of this section, and he has not paid contributions accordingly;

- (d) notwithstanding anything to the contrary contained in paragraph (c) hereof, if upon examination by the Laboratory as provided for in paragraph (a) of this section, the mine worker is found to be suffering from tuberculosis, he shall not be entitled to any benefit under the principal Act;
 - (e) where the mine worker has been examined by the Laboratory as provided for in paragraph (a) of this section, and either at the time of such examination or thereafter he is no longer engaged on war service, any certificate he may obtain or be entitled to as the result of such examination shall have the same effect as it would have had if it had been issued to him while he was employed or was seeking employment as a mine worker prior to engaging in war service.
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