

6. The station shall be open to inspection at all reasonable times by the Supervisor of Posts and Telegraphs or by an officer duly authorised by him in that behalf.

Special Conditions.

Form W.T.4.

No.....

SCHEDULE 4.

The Wireless Telegraphy Ordinance.

PERMIT to work and use apparatus for wireless telegraphy on board a merchant ship in the harbours of the Colony granted under section 4 of the Wireless Telegraphy Regulations.

Permission is hereby granted for the working and using of apparatus for wireless telegraphy on board the ships of specified in the Schedule hereto whilst such ships are in any of the harbours of the Colony subject nevertheless to the following conditions, namely:—

General Conditions.

1. This permit is subject in all respects to the provisions of the Wireless Telegraphy Ordinance, and of the Regulations made thereunder.
2. The term apparatus for wireless telegraphy in this permit includes apparatus for wireless telephony.
3. All such vessels shall obey promptly the "Naval Silence" sign (— . . . — . . . — . . . —) and thereupon shall not work their wireless telegraphy apparatus until after the "Message Complete" sign (. . . — . . . —) shall have been made.
4. The grantee shall give all possible assistance to the Government of the Colony when required in any matter of public business.
5. This permit is liable to modification, suspension or cancellation at any time by notice in writing from the Colonial Secretary.

6. This permit is valid for the period of one year ending on the of , 19 , on the payment of the sum of ~~Ten Shillings~~ to the Colonial Treasury.

1/66

41

Special Conditions.

Given at Stanley, the

of

19

Colonial Secretary.

CHAPTER 79.

WORKMEN'S COMPENSATION.

REGULATIONS.

Section 33.

No. 9 of 1948.

1. These regulations shall be cited as the Workmen's Compensation Regulations. Short title.

2. Unless the context otherwise admits—
 "the Ordinance" means the Workmen's Compensation Ordinance;
 "form" means a form in these regulations. Definitions.

Part I.

PROCEDURE.

3. Any application made under section 22 of the Ordinance shall, unless the Commissioner otherwise directs, be made on forms A, B or C as the case may be, signed by the applicant and filed with the Registrar. Applications.

The Registrar shall forthwith inform the Commissioner of any such application.

Examination
of applicant.

4. The Commissioner may examine an applicant on oath and shall record any such examination in the manner provided in section 25 of the Ordinance.

Summary
dismissal of
application.

5. The Commissioner shall consider the application and the record of the substance of any examination of the applicant, and may summarily dismiss the application if, for reasons to be recorded, he is of opinion that there are not sufficient grounds for proceeding thereon, and the Registrar shall forthwith notify the applicant or the legal practitioner or other person acting on behalf of the applicant of such summary dismissal of the application.

Preliminary
inquiry into
application.

6. If the application is not dismissed under regulation 5, the Commissioner may direct the Registrar to call upon the applicant to produce to the Registrar evidence in support of the application before calling upon any other party, and, if upon considering such evidence the Commissioner is of opinion that there is no case for the relief claimed he may dismiss the application with a brief statement of his reasons for so doing.

Notice to
opposite
party.

7. If the Commissioner does not dismiss the application under regulation 5 or regulation 6, the Registrar shall cause to be served on the party from whom the applicant claims relief (hereinafter referred to as the respondent) a copy of the application, and may, if he thinks fit, call upon the respondent to file a written statement dealing with the claim within such time as the Registrar may fix.

Statement of
respondent.

8. The respondent may, and if so required by the Registrar, shall, within such time as the Registrar may fix, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.

Indemnity
under section
12 (2) of the
Ordinance.

9. Where the respondent claims that if compensation is recovered against him he will be entitled under section 12, sub-section (2) of the Ordinance to be indemnified by a person not being a party to the case (hereinafter referred to as the third party), he shall, within ten days after being served

with the copy of the application, file a notice of such claim with the Registrar, and the Registrar shall thereupon cause a copy of the notice of such claim in Form D to be served on the third party, and may, if he thinks fit, call upon him to file a written statement dealing with the claim raised in the application within such time as the Registrar may direct.

10. If the respondent or the third party fails to file a statement dealing with the claim within the time directed by the Registrar, or by the Commissioner on an application to enlarge the time, he shall be taken to admit the claim.

Failure of
respondent or
third party
to file
statement.

11. If the respondent or the third party admits the claim, he may at any time before the first hearing—

Claim
admitted.

(a) where the application is made by an injured workman—

(i) file with the Registrar a notice that he submits to an order for the payment of a half-monthly sum, to be specified in such notice; or

(ii) file with the Registrar a notice that he submits to an order for the payment of a lump sum, to be specified in the notice, and pay such sum into Court.;

(b) where the application is made on behalf of the dependants of a deceased workman, or for the settlement of the sum payable in respect of medical attendance and the burial of a deceased workman who leaves no dependants, file with the Registrar a notice that he admits liability, and pay into Court such sum of money as he considers sufficient to cover his liability in the circumstances of the case.

12. Where it is necessary to proceed to a hearing, the Registrar shall fix a date and place for disposing of the application and of the claim for indemnity, if any, and cause notice thereof to be served on the different parties in Form E calling upon them to attend and to produce any evidence which they may wish to tender.

Hearing.

13. If at the hearing or any adjournment thereof the applicant does not appear the Commissioner shall dismiss

Non-appear-
ance of
applicant.

the application unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Non-appearance of respondent or third party.

14. If at the hearing or any adjournment thereof the respondent or third party does not appear the Commissioner may proceed to hear the case in his absence unless he is satisfied there is reasonable cause for such non-appearance when he may adjourn the hearing on such terms as to costs or otherwise as he may deem just.

Local inspection.

15. (1) The Commissioner may at any time enter the place where the workman was injured, or where the workman ordinarily performed his work, for the purpose of making a local inspection :

Provided that the Commissioner shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

(2) The Commissioner shall give the parties or their representatives notice of his intention to conduct a local inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(3) Such notice may be given orally or in writing, and, in the case of an employer, may be given to any person upon whom notice of a claim can be served under section 10 of the Ordinance, or to the representative of any such person.

(4) Any party or the representative of any party, may accompany the Commissioner at a local inspection.

Connected cases.

16. Where two or more cases pending before the Commissioner arise out of the same accident, and any issue involved is common to two or more such cases, such cases may, so far as the evidence bearing on such issue is concerned, be taken together.

Witnesses.

17. The Registrar shall upon application by any party issue summons for the appearance of witnesses on payment of the prescribed fees and expenses unless the Commissioner considers the appearance of such witnesses unnecessary.

18. (1) The Commissioner shall—

Record of findings and orders.

- (a) record concisely his findings and his reasons for such findings ;
- (b) at the time of making his order pronounce his decision and thereafter no addition or alteration shall be made to the order other than the correction of a clerical or arithmetical mistake arising from an accidental slip or omission.

(2) Orders shall be in one of the forms in Form F with any necessary variations.

19. (1) Any document to be filed under these regulations may be so filed by delivering it at the office of the Registrar. Filing and service of documents.

(2) There shall be filed with the original document as many copies of the document as there are persons on whom copies of the documents are to be served, and in addition a copy for the use of the Commissioner.

(3) Any document to be served under the Ordinance or these regulations upon any person shall be served—

- (a) upon the Crown, by service upon the Head of the Government Department in which the applicant was employed at the time of the accident, or by leaving it at the office of such Head of Department ;
- (b) upon an individual, by service upon him personally or by leaving it with a responsible person at his last known place of abode or business ;
- (c) upon a corporate body by service on the Secretary or by leaving it with a responsible person at the Registered Office of such corporate body ;
- (d) upon a Club by service on the Secretary or any member of the Managing Committee ;
- (e) upon the master of a ship or a person belonging to a ship, by service on such master or person, or by leaving the document for such master or person on board the ship with the person being or appearing to be in command or charge of the ship, or where no such person can be found, by fixing a copy of the document to the mast of the ship.

(4) All service shall be effected—

- (a) in Stanley and its immediate vicinity by a member of the police force;
- (b) out of Stanley and its immediate vicinity by a person appointed by the Registrar who shall make a return of the service within two days in the case of service in Stanley and within fourteen days in the case of service out of Stanley in Form G, sworn before a justice of the peace.

Application of
Magistrate's
Court Rules.

20. Save as otherwise expressly provided in the Ordinance or these regulations, the Rules of the Magistrate's Court as to enforcing the attendance of witnesses, compelling the production of documents and material objects, administering oaths, taking evidence, amending any defect or error in any proceeding, enlarging the time appointed for taking any proceeding or doing any act, and the representation of persons under disability shall, with the necessary modifications, apply to proceedings before the Commissioner.

Apportion-
ment of com-
pensation.

21. The provisions of this part of these regulations shall, as far as may be, apply in any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

Part II.

EMPLOYER.

Right to file
memorandum.

22. Any employer to whom notice of an accident has been given may at any time, notwithstanding the fact that no claim for compensation has been instituted in respect of such accident, file with the Registrar a memorandum, supported by an affidavit made by himself or by any person having knowledge of the facts stated in the memorandum, embodying the circumstances or cause of the accident and such memorandum shall be recorded by the Registrar.

Part III.

MEDICAL EXAMINATION.

Submission
to medical
examination.

23. A workman who is required by section 11, sub-section (1), of the Ordinance to submit himself for medical examination shall be bound to do so in accordance with the regulations contained in this Part and not otherwise.

24. When such workman is present on the employer's premises, and the employer offers to have him examined free of charge by a qualified medical practitioner who is so present, the workman shall submit himself for examination forthwith.

Examination
on employer's
premises.

25. In cases to which regulation 24 does not apply, the employer may—

Examination
in other
cases.

- (a) send the medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- (b) send to the workman an offer in writing to have him examined free of charge by a qualified medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises, or at such other place in the vicinity as is specified in such offer, and at such time as is so specified:

Provided that—

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 8 a.m.; and
- (ii) in cases where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at such place of residence.

26. A workman who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

Restriction on
number of
examinations.

27. If a workman whose right to compensation has been suspended under section 11, sub-section (2) or (3), of the Ordinance, subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer.

After suspen-
sion of right
to compen-
sation.

Part IV.

MEMORANDUM OF AGREEMENT.

Form.

28. A memorandum of agreement sent to the Commissioner under section 28 (1) of the Ordinance shall, unless the Commissioner otherwise directs, be in duplicate and conform with Forms H, J, and K as the circumstances may require.

Where
Commissioner
proposes to
record
memorandum.

29. (1) The Commissioner shall, unless he considers that there are grounds for refusing to record a memorandum of agreement, direct the Registrar to fix a day for recording the same, and the Registrar shall accordingly issue a notice in writing in Form L to the parties concerned that in default of objections the Commissioner proposes to record the memorandum on the day so fixed, provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

(2) On the date so fixed the Commissioner shall direct the Registrar to record the memorandum unless, after hearing any of the parties who appear and desire to be heard, he considers that it ought not to be recorded :

Provided that the issue of a notice under sub-section (1) of this regulation shall not be deemed to prevent the Commissioner from refusing to record the memorandum on the date so fixed, even if no objection be made by any party concerned.

(3) If on such date the Commissioner decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons therefor, and if any party desiring the memorandum to be recorded is not present, the Registrar shall send information to that party in Form M.

Where
Commissioner
considers he
should refuse
to record.

30. (1) Where the Commissioner considers there are grounds for refusing to record a memorandum of agreement the Registrar shall fix a date for hearing the party or parties desiring the memorandum to be recorded, and the Registrar shall inform such party or parties and, if the Commissioner thinks fit, any other party concerned, of the date so fixed and of the grounds on which the Commissioner considers that the memorandum should not be recorded.

(2) If the parties to be informed are not present, a written notice shall be sent to them in Form N or Form O, as the case may be, and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.

(3) If on the date fixed under sub-section (1) of this regulation the party or parties desiring the memorandum to be recorded show adequate cause for recording the same, the Commissioner may, if information has already been given to all the parties concerned, direct the Registrar to record the agreement. If information has not been given to all such parties, he shall proceed in accordance with regulation 29.

(4) If, on the date so fixed, the Commissioner refuses to record the memorandum, the Registrar shall send notice in Form M to any party who did not receive information under sub-section (1) of this regulation.

31. (1) If in any case the Commissioner refuses to record a memorandum of agreement, he shall briefly record his reasons for such refusal. On refusal to record.

(2) If the Commissioner refuses to record a memorandum of agreement, he shall not make any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.

(3) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Commissioner considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of such sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the workman.

32. In recording a memorandum of agreement, the Registrar shall enter the same in a register in Form P and shall endorse a copy of the memorandum, to be retained by him, as follows :— Registration.

"This memorandum of agreement bearing Serial No.
of 19 in the register of agreements has
been recorded this day of 19
(Signature)

Registrar."

Part V.

DEPOSIT OF COMPENSATION.

Under section 8 (1) of the Ordinance.

33. An employer depositing compensation under section 8, sub-section (1), of the Ordinance, shall furnish therewith a statement in Form Q and shall be given a receipt in Form R.

(2) If, in the statement above referred to, the employer indicates that he desires to be made a party to the distribution proceedings, the Commissioner shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person or persons to whom he proposes to allot such sum is or are not dependants of the deceased workman.

(3) The statement of disbursements to be furnished on application by the employer under section 8, sub-section (5), of the Ordinance, shall be in Form S.

Publication of lists of deposits.

34. The Registrar shall cause to be displayed in a prominent position outside his office an accurate list of the deposits received by him under section 8, sub-section (1), of the Ordinance, of the depositors, and of the workmen in respect of whose death the deposits have been made.

Where no compensation deposited.

35. (1) Where a dependant of a deceased workman claims that compensation is payable in respect of the death of the workman, and no compensation has been deposited in accordance with section 8, sub-section (1), of the Ordinance in respect thereof, the dependant may apply to the Commissioner for the issue of an order requiring the employer to deposit compensation in accordance with the said sub-section:

Provided that no such application shall be entertained unless the applicant certifies therein that he has requested the employer to deposit compensation and that the employer has refused or omitted to do so.

(2) The Commissioner shall dispose of such application in accordance with the provisions of Part I of these regulations provided that—

(a) the Commissioner may, at any time, cause notice to be given in such manner as he thinks fit to all or any of the dependants of the deceased workman

who have not joined in the application, requiring them, if they desire to join therein, to appear before him on a date specified in this behalf;

(b) any dependant to whom such notice has been given and who fails to appear and to join in the application on the date specified in a notice shall not be permitted thereafter to claim that the employer is liable to deposit compensation, unless he satisfies the Commissioner that he was prevented by any sufficient cause from appearing when the cause was called on for hearing.

(3) If, after completing the inquiry into the application, the Commissioner issues an order requiring the employer to deposit compensation in accordance with section 8 sub-section (1), of the Ordinance, nothing in sub-section (2) of this regulation shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join in the application.

36. An employer depositing compensation in accordance with section 8, sub-sections (2) or (3), of the Ordinance, shall furnish therewith a statement in Form T and shall be given the receipt in Form U.

Deposit under section 8 (2) and (3) of the Ordinance.

37. Money deposited under section 8 of the Ordinance may be invested in the name of the Registrar in the Government Savings Bank.

Investment.

Part VI.

REVIEW OF HALF YEARLY PAYMENTS AND COMMUTATION THEREOF.

38. Application in Form V for review of a half-monthly payment under section 6 of the Ordinance may be made without being accompanied by medical certificate—

Application for review without medical certificate.

(a) by the employer, on the ground that since the right to compensation was determined the workman's wages have increased;

(b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;

- (c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;
- (d) by the workman, on the ground that he has ceased, since the right to compensation was determined, to be a minor;
- (e) either by the employer or by the workman on the ground that the determination of the rate of compensation was obtained by fraud or undue influence or other improper means.

Procedure on
application
for review.

39. If, on examining an application for review by an employer in which the reduction or discontinuance of half-monthly payments is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half-monthly payments in whole or in part pending his decision on the application.

Procedure
on applica-
tion for com-
mutation.

40. Where application is made to the Commissioner under section 7 of the Ordinance for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Commissioner shall form an estimate of the probable duration of the disablement, and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement will continue, less one half per cent. of that total for each month comprised in that period:

Provided that fractions of a shilling included in the sum so computed shall be disregarded:

Provided also that when the Commissioner is unable to form an approximate estimate of the probable duration of the disablement he may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

Part VII.

REGISTRAR.

41. The Registrar shall endorse the date of filing or issuance on all proceedings and notices filed with or issued by him. Proceedings.

42. In recording an order of the Commissioner under section 27 of the Ordinance, directing the payment of compensation or the variation of the amount or rate of compensation previously ordered or settled by agreement, the Registrar shall enter such order in a register in the Form W, and shall endorse on a copy of the order to be retained by him as follows:— Registration
of orders.

"This order bearing Serial No. of 19 in the
Register of Orders has been recorded in such Register
this day of , 19 .
(Signature) Registrar."

43. The Registrar shall enter all proceedings hereafter to be commenced in a Cause Book, the form of which shall be prescribed by the Commissioner; any entry made therein shall be examined with the original document the day after such entry is made, and such entry shall be evidence of the document having been filed. Cause Book

44. The Registrar shall keep the registers prescribed by regulations 32 and 42 and shall make the appropriate entries therein in accordance with the requirements of the said regulations. Registers.

45. The Registrar shall keep proper indexes of the titles of all applications filed with or delivered to him so that the same may be conveniently referred to when required; and such indexes shall at all times during office hours be accessible to the public on payment of the prescribed fee. Indexes.

46. The Registrar shall, on a request in writing giving sufficient particulars and on payment of the prescribed fee, cause a search to be made in the Cause Books or Registers under his custody, and issue a certificate of the result of the search. Searches.

47. Any person may, on payment of the prescribed fee, inspect the file of documents or proceedings in any matter. Inspection
of files.

Part VIII.

COSTS.

Costs.

48. (1) Any costs incidental to any proceedings before the Commissioner directed to be paid by one party to another shall, in default of agreement between the parties as to the amount of such costs, be taxed by the Commissioner according to the scale of costs applicable to actions in the Magistrate's Court; and the statutory provisions and rules for the time being in force as to the allowance and taxation of costs in such actions shall, with the necessary modifications, apply accordingly.

(2) When proceedings are taken for which no provision is made in these regulations, reasonable costs may be allowed in respect of such proceedings, not exceeding those which may under the scales of costs be allowed in respect of proceedings of a like nature.

(3) The Commissioner, in dealing with the question of costs, may take into consideration any offer of compensation proved to have been made on behalf of the employer.

Exemptions.

49. If the Commissioner is satisfied that the applicant is unable, by reason of poverty, to pay the prescribed fees, he may remit any or all of such fees. If the case is decided in favour of the applicant the prescribed fees which, had they not been remitted would have been due to be paid, may be added to the costs of the case and recovered in such manner as the Commissioner in his order regarding costs may direct.

Part IX.

FEES.

Fees.

50. The following fees shall be paid respectively on each application, search or inspection made under the Ordinance or these regulations:—

(1) Applications for compensation—

(a) Where compensation is claimed in the form of recurring payments ... 5/-

(b) Where compensation is claimed in the form of a lump sum, 2/6 where the sum does not exceed £50, plus 2/6 for each additional sum of £50 or fraction thereof (maximum 10/-).

(2) Application for commutation—

(a) By agreement between the parties ... 2/6
(b) In all other cases ... 5/-

(3) Applications for the deposit of compensation—

(a) Under section 8 (1) of the Ordinance Nil
(b) In all other cases, in respect of each person to whom compensation is payable ... 2/6

(4) Applications for distribution by dependants, for each dependant ... 2/6 up to 15/-

(5) Applications for review—

(a) Where the review claimed is the continuance, increase, decrease or ending of half-monthly payments ... 2/6
(b) Where the half-monthly payments are sought to be converted into a lump sum ... 5/-
(c) In all other cases ... 5/-

(6) Applications for the registration of agreement—

(a) Where the application or the memorandum of agreement is signed by both parties ... Nil
(b) In all other cases ... 5/-

(7) Applications to summon witnesses—

For every witness ... 1/-

(8) Applications for indemnification ... 10/-

(9) Applications for the recovery of compensation—

(a) Under an order already made by the Commissioner ... 2/6

(b) In all other cases—

The same fee as is payable on a similar application for compensation.

- | | |
|---|-----|
| (10) All applications not otherwise provided for | 2/6 |
| (11) For service of any notice or process ... | 2/6 |
| (12) For search in indexes of titles of applications filed ... | 2/6 |
| (13) For search in Cause Books or Registers and issuing certificate of result of search under the hand of the Registrar ... | 2/6 |
| (14) For inspecting file of documents or proceedings ... | 2/6 |

Part X.

FORMS.

Forms.

51. Where the forms in the schedule to these regulations are not applicable, forms of the like character, with such variations as the circumstances may require, may be used in proceedings under the Ordinance.

SCHEDULE.

Form A.

(See Regulation 3)

APPLICATION FOR COMPENSATION BY WORKMAN.

To the Commissioner for Workmen's Compensation,
residing at
versus
applicant

residing at
respondent.

It is hereby submitted that—

(1) the applicant, a workman employed by (a contractor with) the respondent, on the day of 19 , received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury).

(2) the applicant sustained the following injuries, namely:—

(3) the monthly wages of the applicant amount to £ ; the

applicant is ^{over} the age of 18 years.

* (4) (a) Notice of the accident was served on the day of

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of

* (5) the applicant is accordingly entitled to receive—

(a) half-monthly payments of £ from the day of 19 , to

(b) a lump sum payment of £

(6) the applicant has taken the following steps to secure a settlement by agreement, namely but it has proved impossible to settle the question in dispute because

* You are therefore requested to determine the following questions in dispute, namely:—

(a) whether the applicant is a workman within the meaning of the Ordinance;

(b) whether the accident arose out of or in the course of the applicant's employment;

(c) whether the amount of compensation claimed is due, or any part of that amount;

(d) whether the respondent is liable to pay such compensation as is due;

(e) &c. (as required)

Dated this day of 19 .

Applicant.

To
of

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this day of 19 .

Registrar.

* Strike out the clauses which are not applicable.

Form B.

(See Regulation 3)

APPLICATION FOR COMPENSATION BY DEPENDANTS.

To the Commissioner for Workmen's Compensation,

residing at
, applicant

versus

residing at
, respondent.

It is hereby submitted that—

(1) _____ a workman employed by (a contractor with) the respondent on the _____ day of _____ 19____, received personal injury by accident arising out of and in the course of his employment resulting in his death on the _____ day of _____ 19____. The cause of the injury was (here insert briefly in ordinary language the cause of the injury).

(2) The applicant(s) is a dependant(s) of the deceased workman, being his are

(3) The monthly wages of the deceased amounted to £ _____

The deceased was over the age of 18 years at the time of his death. under

* (4) (a) Notice of the accident was served on the _____ day of _____

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of _____

(5) The deceased before his death received as compensation the total sum of £ _____

(6) The applicant(s) is accordingly entitled to receive a lump sum payment of £ _____ are

(7) The applicant(s) has requested the respondent to deposit compensation and the latter has refused to do so. have omitted

*You are therefore requested to determine the following questions in dispute, namely:—

(a) Whether the deceased was a workman within the meaning of the Ordinance;

(b) Whether the accident arose out of and in the course of the deceased's employment;

(c) Whether the amount of compensation claimed is due, or any part of that amount;

(d) Whether the respondent is liable to pay such compensation as is due;

(e) Whether the applicant(s) is a dependant(s) of the deceased; are

(f) How the compensation, when deposited, should be distributed;

(g) &c. (as required).

Applicant.

Dated the _____ day of _____, 19____.

* Strike out the clauses which are not applicable.

To
of

I do hereby require you to file with me the undersigned Registrar a written statement dealing with the claim against you in the above application within _____ days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this _____ day of _____, 19____.

Registrar.

Form C.

(See Regulation 3)

APPLICATION FOR COMMUTATION.

(Under section 3 of the Workmen's Compensation Ordinance)

To the Commissioner for Workmen's Compensation,

residing at
, applicant

versus

residing at
, respondent.

It is hereby submitted that—

(1) The applicant has been in receipt of half-monthly payments from respondent to _____ in respect of temporary disablement by accident arising out of and in the course of his employment.

(2) The applicant is desirous that the right to receive half-monthly payments should be redeemed.

(3) (a) The respondent is unwilling to agree to the redemption of the right to receive half-monthly payments.

(b) The parties have been unable to agree regarding the sum for which the right to receive half-monthly payments should be redeemed.

You are therefore requested to make an order—

(a) directing that the right to receive half-monthly payments should be redeemed.

(b) fixing a sum for the redemption of the right to receive half-monthly payments.

Date

Applicant.

Form D.

(See Regulation 9)

NOTICE.

Whereas a claim for compensation has been made to the Commissioner for Workmen's Compensation by _____ applicant, against _____ and the said _____ has claimed that you are liable under section 12 (2) of the Workmen's Compensation Ordinance to indemnify him against any compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed that you may appear before the Commissioner for Workmen's Compensation at _____ day of _____ 19____ at _____ o'clock on the _____ and contest the claim for compensation made by the said applicant or the claim for indemnity made by the respondent. In default of your appearance you will be deemed to admit the validity of any award made against the respondent and your liability to indemnify the respondent for any compensation recovered from him.

Dated _____ 19____ .

Registrar.

To
of

I do hereby require you to file with me the undersigned Commissioner a written statement dealing with the claim against you in the above application within _____ days after service thereof on you.

And further take notice that if you fail to forward the statement in writing an order may be made against you in default.

Dated this _____ day of _____ 19____ .

Commissioner.

Form E.

(See Regulation 12)

NOTICE TO APPLICANT OF DAY UPON WHICH HEARING
WILL BE PROCEEDED WITH.

The Workmen's Compensation Ordinance.

residing at _____
, applicant

versus

residing at _____
, respondent.

Take notice that the Commissioner will proceed with the hearing of the application in this matter at _____ on _____ day of _____ at the hour of _____ o'clock in the _____ noon.

Dated this _____ day of _____ 19____ .

Registrar.

NOTICE TO RESPONDENT OF DAY UPON WHICH HEARING
WILL BE PROCEEDED WITH.

The Workmen's Compensation Ordinance.

residing at _____
, applicant

versus

residing at _____
, respondent.

Take notice that the Commissioner will proceed with the hearing of the application in the matter at _____ on _____ the _____ day of _____ at the hour of _____ o'clock in the _____ noon, and that if you do not attend at the time and place above mentioned such order will be made and proceedings taken as the Commissioner may think just and expedient.

Dated this _____ day of _____ , 19____ .
To _____
of _____

Registrar.

Form F.

(See Regulation 18)

ORDER.

(NOTE.—These forms are intended for use in ordinary cases only)

I. In case of application for half-monthly payment of compensation. Having duly considered the matters submitted to me, I do hereby order as follows:—

(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)

1. I order that the respondent C.D. do pay the applicant A.B. the half-monthly sum of £ _____ as compensation for personal injuries caused to the said A.B. on the _____ day of _____ by injury arising out of and in the course of his employment as a workman employed by the said respondent, such half-monthly payment to commence as from the _____ day of _____, and to continue during the total (or partial) incapacity of the said A.B. for work, or until the same shall be ended, diminished, increased or redeemed in accordance with the provisions of the Workmen's Compensation Ordinance.

2. And I order that the said C.D. do forthwith pay to the said A.B. the sum of £ _____ being the amount of such half-monthly payments calculated from the _____ day of _____ until the _____ day of _____ and do thereafter pay _____ the said sum of _____ to the said A.B. on the _____ and _____ days of _____ each month.

3. And I order that the said C.D. do pay to the applicant his costs of or incidental to the proceedings, such costs, in default of agreement between the parties as to the amount thereof, to be taxed under the scale of costs applicable to actions in the Magistrate's Court, and to be paid by the said C.D. within 14 days of the date of the certificate of the result of such taxation.

Dated this _____ day of _____ , 19____ .

Commissioner.

II. In case of application by Dependants.

II. In case of application by Dependants.
Having duly considered the matters submitted to me, I do hereby order as follows:—

WS:—
(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)

1. I order that the respondent C.D. do pay the sum of £
to
the dependants of A.B., late of deceased, as com-
pensation for the injury resulting to such dependants from the death of
the said A.B. which took place on the day of
from injury caused to the said A.B. on the day of
by accident arising out of and in the course of his employment as a
workman employed by the said respondent.

2. And I declare that the persons hereinafter named are entitled to share in such compensation as dependants of the said A.B., that is to say J.B. the widow of the said A.B. and (*name the other persons*).

3. (Add if so found) And I declare that G.H. the of
the said A.B. is not entitled to share in such compensation as a dependant
of the said A.B.

4. And I order that the said sum of £ be apportioned between the said J.B. and in the proportions following, that is to say:—

say:—

I apportion the sum of £	to and for the benefit of the said
J.B. and the sum of £	to and for the benefit of the said

5. And I order that the said C.D. do pay the said sum of £ within 14 days from the date of this order.

6. And I order that the said J.B. and the said or any of them, be at liberty to apply to me from time to time for any further or other order as to the application of any of the said sums which may be ordered to be invested and the interest accruing thereon.

7. And I order that the said C.D. do pay to the applicants their costs of and incident to these proceedings, etc.

Dated this day of , 19 .
Commissioner.

III. In case of application by person to whom expenses of medical attendance or burial are due.

Having duly considered the matters submitted to me, I do hereby order as follows:—

(Here insert any introductory recitals of findings on which the order is made which the Commissioner may think fit)

1. I order that the respondent C.D. do pay the sum of £ for
or towards the expenses of medical attendance on and the burial of A.B.,
late of deceased, who died on the day of
from injury caused on the day of by accident arising
out of and in the course of the employment of the said A.B. as a work-
man employed by the said C.D.

2. And I declare that the persons hereinafter named are entitled to share in such compensation, that is to say:—

The applicant E.F. in respect of charges amounting to £ due to (or payable by) him for medical attendance on the said A.B., and the applicant G.H. in respect of charges amounting to £ due to him for the burial of the said A.B.

Dated this day of , 19

Commissioner.

(NOTE.—The above forms will serve as guides for framing orders in other cases)

Form G.

(See Regulation 19)

The Workmen's Compensation Ordinance.

RETURN OF SERVICE OF PROCESS FROM THE COMMISSIONER FOR WORKMEN'S COMPENSATION.

Name of Applicant	Name of Respondent	Document Served	Date of Service	Place of Service	Mode of Service

I do swear that the above return of service is true and in accordance with the facts of such service.

(Signed)

Deponent.

Sworn before me by the above-named deponent this _____ day of _____, 19____.

(Signed)

*Magistrate
Justice of the Peace*

Form H.

(See Regulation 28)

MEMORANDUM OF AGREEMENT.

It is hereby submitted that on the _____ day of _____, 19____, personal injury was caused to _____, residing at _____ by accident arising out of and in the course of employment in _____. The said injury has resulted in temporary disablement to the said workman whereby it is estimated that he will be prevented from earning more than _____ of his previous

any wages for a period of _____ months. The said workman has been in receipt of half-monthly payments which have continued from the _____ day of _____ amounting to £ _____ in all. The said workman's monthly wages are estimated at £ _____. The workman is over the age of 18 years will reach the age of 18 years on _____.

It is further submitted that _____ the employer of the said workman has agreed to pay, and the said workman has agreed to accept the sum of £ _____ in full settlement of all and every claim under the Workmen's Compensation Ordinance, in respect of all disablement of a temporary nature arising out of the said accident whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £ _____ as costs.

Dated _____

Signature of employer _____

Witness _____

Signature of workman _____

Witness _____

[NOTE.—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £ _____

Dated _____

19 _____

Workman.

The money has been paid and this receipt signed in my presence.

Witness.

Form J.

(See Regulation 28)

MEMORANDUM OF AGREEMENT.

It is hereby submitted that on the _____ day of _____, 19____, personal injury was caused to _____, residing at _____ by accident arising out of and in the course of his employment in _____. The said injury has resulted in permanent disablement to the said workman of the following nature, namely:—

The said workman's monthly wages are estimated at £ _____.

The workman is over the age of 18 years. will reach the age of 18 years on _____.

The said workman has, prior to the date of this agreement, received the following payments, namely:—

It is further submitted that _____, the employer of the said workman, has agreed to pay, and the said workman has agreed to accept the sum of £ _____ in full settlement of all and every claim under the Workmen's Compensation Ordinance in respect of the disablement stated above and all disablement now manifest. It is therefore requested that this memorandum be duly recorded.

It is further submitted that the employer has paid and/or agreed to pay the sum of £ _____ as costs.

Dated _____

Signature of employer _____

Witness _____

Signature of workman _____

Witness _____

[NOTE.—An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended (whenever possible).]

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of £ _____

Dated _____

19 _____

Workman.

The money has been paid and this receipt signed in my presence.

Witness.

times enter upon any of the stations in the possession or occupation of the licensee either solely or jointly with any other person or persons for the purpose of inspecting and may inspect any apparatus fixed or being in such stations respectively for the purpose of sending or receiving messages by wireless telegraphy, and all other telegraphic instruments and apparatus fixed or being in such stations respectively, and the working and use of such apparatus and telegraphic instruments respectively, and the licensee shall afford all requisite and proper facilities for such inspection and shall secure to the Supervisor of Posts and Telegraphs or any person authorised by him in writing the right for the purpose aforesaid of entry from time to time and on such of the stations as may be in the possession or occupation of any person or persons other than the licensee.

9. The Colonial Secretary may at any time in his absolute discretion give notice in writing to determine these presents and the licence or permission hereby given at the end of one calendar month from the date of such notice, and at the expiration of that period the licence or permission hereby granted shall cease and determine accordingly but without prejudice to any remedy of the Colonial Secretary under any covenant or provision herein contained on the part of the licensee to be observed and performed.

10. In case of any breach, non-observance, or non-performance by or on the part of the licensee of any of the covenants or conditions herein contained and on the part of the licensee to be observed and performed, the Colonial Secretary may in writing revoke and determine these presents and the said licensed powers and authorities hereinbefore granted and each and every of them, and thereupon these presents and the said licences, powers and authorities and each and every of them shall absolutely cease determine and become void : Provided always that no such revocation or determination as aforesaid shall prejudice or affect any right of action or remedy which shall have accrued or shall thereafter accrue to either of the parties hereto under the covenants herein contained.

11. Nothing in these presents shall prejudice or affect the right of the Governor from time to time to establish, extend, maintain and work any system or systems of telegraphic communication (whether of a like nature to that hereby licensed or otherwise) in such manner as he shall in his discretion think fit, neither shall anything herein contained prejudice or affect the right of the Governor from time to time to enter into agreement for or to grant licences relative to the working and use of telegraphs (whether of a like nature to those hereby licensed or otherwise) or the transmission of messages in any part of the Colony by means of wireless telegraphy or by any other means with or to any person or persons whomsoever upon such terms as he shall in his discretion think fit.

12. Subject to the provisions of this licence the licensee shall transmit messages by means of the licensed apparatus on equal terms without favour or preference whether as regards rates of charges, order of transmission, or otherwise. Provided always that signals of distress and messages in connection therewith shall receive priority over all other

messages and that the order of transmission of such other messages shall be governed by the Radio Regulations and additional Regulations annexed to the Convention.

13. The licensee shall charge rates not in excess of half of the rates charged to the ordinary public in respect of messages transmitted on behalf of His Majesty's Government or the Government of any British Possession or Protectorate.

Special Conditions.

Form O.

(See Regulation 30)

Whereas an agreement to pay compensation is said to have been reached between _____ and _____

And whereas _____ has _____ applied to the Commissioner for registration of the agreement under section 28 of the Workmen's Compensation Ordinance. And whereas it appears to the Commissioner that the said agreement ought not to be registered for the following reasons, namely:—

An opportunity will be afforded to the said _____ of showing cause at _____ o'clock on the _____ day of _____, 19____ why the said agreement should be registered. Any representation which you have to make with regard to the said agreement should be made on that date. If adequate cause is then shown, the agreement may be registered.

Dated

19 .

Registrar.

Form P.

(See Regulation 32)

REGISTER OF AGREEMENTS FOR THE YEAR 19 .

Serial No.	Date of Agreement	Date of Registration	Employer	Workman	Initials of Registrar	Reference to orders rectifying the register	Address of person against whom order made	Amount and particulars

Form Q.

(See Regulation 33)

DEPOSIT OF COMPENSATION FOR FATAL ACCIDENT.

(Section 8 (1) of the Workmen's Compensation Ordinance).

Compensation amounting to £ _____ is hereby presented for deposit in respect of injuries resulting in the death of _____ residing at _____ which occurred on _____ 19____. His monthly wages were estimated at _____. He was $\frac{\text{over}}{\text{under}}$ the age of 18 years at the time of his death.

The said workman had, prior to the date of his death, received the following payments, namely:—
amounting in all to _____

Dated

, 19 .

Employer.

(To be added if desired)

I desire to be made a party to the proceedings for distribution of the aforesaid compensation.

Employer.

Form R.

(See Regulation 33)

RECEIPT FOR COMPENSATION.

(Deposited under Section 8 (1) of the Workmen's Compensation Ordinance).

Book No.

Receipt No.

Register No.

Depositor

Deceased workman

Date of deposit

19 .

Sum deposited £ _____

Registrar.

Form S.

(See Regulation 33)

STATEMENT OF DISBURSEMENTS.

(Section 8 (5) of the Workmen's Compensation Ordinance).

Serial No

Depositor

Amount deposited £

Date		£	s.	d.
	Funeral expenses paid			
	Compensation paid to the follow- ing dependants.			
	Name Relationship			
	Total			

Dated

, 19 .

Registrar.

Form T.

(See Regulation 36)

DEPOSIT OF COMPENSATION FOR NON-FATAL ACCIDENTS.

(Section 8 (2) and (3) of the Workmen's Compensation Ordinance).

Compensation amounting to £ _____ is hereby presented for
 deposit in respect of permanent injuries sustained by
temporary _____

residing at

which occurred on

19 .

Dated

, 19 .

Employer.

Form U.

(See Regulation 36)

RECEIPT FOR COMPENSATION.

(Deposit under Section 8 (2) or (3) of the Workmen's Compensation Ordinance).

Book No.

Receipt No.

Register No.

Depositor

In favour of

Date of deposit

19 .

Sum deposited £

Registrar.

Form V.

(See Regulation 38)

APPLICATION FOR REVIEW OF HALF-MONTHLY PAYMENT.

To the Registrar,

residing at
, applicant

versus

residing at
, respondent.

Application is hereby made for the review (termination, diminution,
 increase, or redemption *as the case may be*) of the half-monthly payment
 payable to the said _____ in respect of personal injury
 caused to him by accident arising out of and in the course of his
 employment.

Particulars are hereto appended.

Particulars.

1. Name and address of injured workman.
2. Name and place of business of employer by whom compensation is payable.
3. Date and nature of accident.
4. Amount of half-monthly payment and date from which it commenced.
5. Relief sought by applicant (*whether* termination, diminution, increase, or redemption).
6. Grounds of application.

Dated this

day of

, 19 .

(Signed)

Applicant.