



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3550 OF 28TH MARCH, 1951.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 14 OF 1951.

A LAW TO AMEND THE WORKMEN'S COMPENSATION LAWS,
1942 TO (No. 2) 1944.

A. B. WRIGHT,]
Governor.

[28th March, 1951.

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

Cap. 216

1. This Law may be cited as the Workmen's Compensation (Amendment) Law, 1951, and shall be read as one with the Workmen's Compensation Laws, 1942 to (No. 2) 1944 (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Workmen's Compensation Laws, 1942 to 1951.

Short title.
30 of 1942
2 of 1944
11 of 1944

Amendment
of section 2
(1) of the
principal
Law.

2. The proviso to sub-section (1) of section 2 of the principal Law is hereby amended as follows :—

- (a) by the deletion therefrom of paragraph (a) and the substitution therefor of the following paragraph :—
“ (a) persons, employed otherwise than by way of manual labour, whose remuneration exceeds four hundred pounds a year ; or ” ;
- (b) by the deletion therefrom of paragraph (f) and the substitution therefor of the following paragraph :—
“ (f) domestic servants employed in private dwelling houses ; or ” ;
- (c) by the deletion therefrom of paragraph (g) and the re-lettering of paragraphs (h) and (i) as paragraphs (g) and (h).

Amendment
of section 3
of the
principal
Law.

3. The definitions of “ partial incapacity ” and “ total incapacity ” in section 3 of the principal Law are hereby amended by the deletion of the word “ Schedule ” wherever it occurs and the substitution therefor of the words “ First Schedule ”.

Amendment
of section 4
of the
principal
Law.

4. Section 4 of the principal Law is hereby amended by the deletion therefrom of the words “ This Law shall apply to workmen employed by or under the Crown in the same way and to the same extent as if the employer were a private person, except in the case of persons in the naval or military or air service of the Crown and persons in the Civil employment of His Majesty otherwise than in His Government of the Colony : ” and the substitution therefor of the following words :—

“ This Law shall apply to workmen employed by or under the Crown in the same way and to the same extent as if the employer were a private person, except in the case of—

- (a) persons in the naval or military or air service of the Crown ; and
- (b) persons in the civil employment of His Majesty otherwise than in His Government of the Colony,

and shall also apply to all civilian employees engaged locally by any person coming within paragraph (a) or (b) above : ”

Amendment
of section 5
of the
principal
Law.

5. Section 5 of the principal Law is hereby amended as follows :—

- (a) by the deletion of the word “ seven ” in paragraph (a) of the proviso thereto (line 2) and the substitution therefor of the word “ four ” ;

(b) by the insertion therein of the following sub-section (2), the first part thereof being numbered as sub-section (1) :—

“(2) For the purposes of this section, but subject always to the provisions of sub-paragraph (ii) of paragraph (b) of the proviso to sub-section (1), an accident resulting in the death or permanent incapacity of a workman shall be deemed to arise out of and in the course of his employment, notwithstanding that the workman was at the time when the accident happened acting in contravention of any orders given by or on behalf of his employer, or that he was acting without instructions from the employer, if such act was done by the workman for the purposes of and in connection with his employer’s trade or business.”

6. Section 6 of the principal Law is hereby amended as follows :—

Amendment
of section 6
of the
principal
Law.

(a) by the deletion in paragraph (a) thereof of the words “thirty-six” (line 3) and “four hundred and fifty” (line 4) and the substitution therefor of the words “forty-two” and “six hundred”, respectively ;

(b) by the deletion in paragraph (a) thereof of the proviso thereto and the substitution therefor of the following proviso :—

“Provided that, where in respect of the same accident, compensation has been paid under the provisions of section 7 or 8, there shall be deducted from the sum payable under this paragraph any sums so paid as compensation ;”;

(c) by the deletion in paragraph (c) thereof of the word “fifteen” (line 5) and the substitution therefor of the word “thirty”.

7. Section 7 of the principal Law is hereby amended as follows :—

Amendment
of section 7
of the
principal
Law.

(a) by the deletion in paragraph (a) thereof of the words “forty-two” (line 1) and “six hundred” (line 2) and the substitution therefor of the words “forty-eight” and “eight hundred”, respectively ;

(b) by the deletion in paragraph (b) thereof of the words “six hundred” (line 2) and the substitution therefor of the words “eight hundred”.

Amendment
of section 8
of the
principal
Law.

8. Sub-section (1) of section 8 of the principal Law is hereby amended by the deletion of the word "Schedule" wherever it occurs and the substitution therefor of the words "First Schedule".

Amendment
of section
9 of the
principal
Law.

9. Sub-section (1) of section 9 of the principal Law is hereby repealed and the following sub-section substituted therefor:— 10

"Compensation in the case of temporary incapacity.

9.—(1) Where temporary incapacity whether total or partial results from the injury, the compensation shall be the periodical payments hereinafter mentioned payable at such intervals as may be agreed upon or as the Court may order, or a lump sum calculated accordingly having regard to the probable duration, and probable changes in the degree, of the incapacity. Such periodical payments shall be, or shall be at the rate proportionate to a monthly payment of two-thirds the difference between the monthly earnings which the workman was earning at the time of the accident and the monthly earnings which he is earning or is capable of earning in some suitable employment or business after the accident:

Provided that—

- (a) no periodical payment under the provisions of this section shall be at a higher rate than fifteen pounds a month;
- (b) if the incapacity lasts less than four weeks, no compensation shall be payable in respect of the first three days;
- (c) neither the aggregate of the periodical payments nor the lump sum payable under this sub-section shall exceed the lump sum which would be payable in respect of section 7 or 8, as the case may be, if the incapacity were permanent;
- (d) any lump sum payable under section 7 or 8 shall not be disturbed by reason of periodical payments having been made under this section in the event of permanent incapacity following after total temporary incapacity or after partial temporary incapacity."

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(e)

10. Sub-section (2) of section 12 of the principal Law is hereby repealed and the following sub-section substituted therefor :—

Amendment of section 12 of the principal Law.

“(2) Compensation payable under the provisions of section 7 or 8 and lump sums payable under the provisions of section 9 shall be paid to the Court and, thereupon, any sum so paid, unless the Court shall for special reasons direct it to be paid forthwith to the person entitled thereto in whole or in part, shall be paid to him by periodical payments at such intervals as the Court may direct or it shall be invested, applied or otherwise dealt with for the benefit of such person in such manner as the Court thinks fit.”

11. Sub-section (2) of section 19 of the principal Law is hereby amended by the deletion therefrom of the words “less any amount which he has already received by way of periodical payments” (lines 7, 8 and 9) and the substitution therefor of the words “and such lump sum shall be dealt with in accordance with the provisions of sub-section (2) of section 12.”

Amendment of section 19 (2) of the principal Law.

12. The principal Law is hereby amended by the insertion therein, immediately after section 28, of the following sections :—

Insertion of new sections 28A, 28B and 28C.

“Medical referees.

28A.—(1) The Governor may appoint such qualified medical practitioners, as he may determine, to be medical referees for the purposes of this Law and the remuneration of, and other expenses incurred by, medical referees under this Law shall be paid according to rules made by him.

(2) Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of an employer or workman or by any insurers interested, he shall not act as medical referee in that case.

28B.—(1) Where—

(a) a medical referee certifies that a workman is suffering from a disease mentioned in the Second Schedule hereto and is thereby incapacitated from earning full wages at the work at which he was employed ; or

(b) the death of a workman is caused by any such disease, and the disease is due to the nature of any employment in which the workman was employed at any

Application of Law to industrial diseases.

Repealed by sec
of 67/55 new sec
28A
28B
28C.
Substituted

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