



CHAPTER 67

An Act to amend the Workmen's Compensation Act,
1931

[Assented to, the 22nd of June, 1940]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative As-
sembly of Quebec, enacts as follows:

1. Section 2 of the Workmen's Compensation Act, 21 Geo. V, 1931, (21 George V, chapter 100), as amended by the ^{c. 100, s. 2, am.} act 25-26 George V, chapter 80, section 1, is again amended by replacing the words: "an executive officer", in the fourth and fifth lines of sub-paragraph *o* of subsection 1 thereof, by the words: "a director".

2. Section 6 of the said act is amended by adding ^{Id., s. 6, am.} thereto, at the end of sub-paragraph *a* of subsection 1 thereof, the following words: "and provided that the law of the place of the accident does not grant any compensation to the workman".

3. Section 9 of the said act, as amended by the act ^{Id., s. 9, am.} 25-26 George V, chapter 80, section 3, is again amended:

a. By adding, at the end of the first paragraph of subsection 3 thereof, the words: "The subrogation takes place by the mere making of the election and may be exercised to the full extent of the amount which the employer or the Commission may be called upon to pay as a result of the accident. Nevertheless, if ^{Exercise of subrogation.} as a result of this act, the employer or the Commission happen afterwards to be freed from the obligation of ^{Reimburse-ment.} paying a part of the compensation so recovered, the

sum not used shall be reimbursable within the month following the event which determines the cessation of the compensation.”;

b. By striking out subsection 5 thereof.

21 Geo. V,
c. 100, s. 11,
replaced.

Member of
family of
employer
employed as
workman.

4. Section 11 of the said act is replaced by the following:

“**11.** Where compensation is payable out of the accident fund, a member of the family of an employer shall not be entitled to compensation unless such member was at the time of the accident inscribed on the pay-roll of the employer and unless his wages and his name were included in the then last statement furnished to the Commission under section 82; if there be occasion for compensation, the amount thereof shall not be based on wages higher than those shown by such statement. A member of the family of an employer hired by the latter, after the furnishing of such statement, shall be entitled to the compensation provided by this act with respect only to an accident occurring after the receipt by the Commission of a notice of the hiring.”

21 Geo. V,
c. 100, s. 12,
am.

5. Section 12 of the said act is amended:

a. By replacing the words: “an executive officer”, in the second line of the first paragraph thereof, by the words: “a director”;

b. By replacing, in the first line of sub-paragraph *a* and in the second line of sub-paragraph *c* of the first paragraph thereof, and in the second line of the second paragraph thereof, the word: “officer”, by the word: “director”;

c. By replacing the words: “executive officer”, in the first and second lines of sub-paragraph *b* of the first paragraph thereof, by the word: “director”.

Id., s. 46, am. **6.** Section 46 of the said act is amended by replacing the word: “sixteen”, in the second line of sub-paragraph *a* thereof, by the word: “eighteen”.

Id., s. 47, am. **7.** Section 47 of the said act is amended, by replacing the word: “compensation”, in the first and third lines thereof, by the words: “rent or compensation”.

Id., s. 49, am. **8.** Section 49 of the said act is amended by adding thereto, after the word: “Commission”, in the third line

thereof, the words: "or to the employer included in Schedule 2".

9. Sections 59a, 59b, 59c and 76a of the said act, as enacted by the act 2 George VI, chapter 88, sections 1 and 2, are repealed. 21 Geo. V, c. 100, ss. 59a, 59b, 59c and 76a, repealed.

10. Schedule 1 of the said act is amended:

a. By replacing in the French text, in the fourth line of Class 5, the word: "*employé*", by the word: "*employeur*";

Id., schedule 1, am.

b. By replacing the number: "14", in the fourth line of Class 5 thereof, by the number: "12".

11. Schedule 3 of the said act, as amended by the acts 23 George V, chapter 98, sections 16, and 2 George VI, chapter 89, section 2, is again amended: Id., schedule 3, am.

a. By adding, at the foot of the column entitled: "Description of Process", after the word: "Mining", the words: "; quarrying, cutting, crushing, grinding or polishing of stone; smelting, grinding or polishing of metal".

b. By adding the following in their proper columns:

"Description of Disease"	Description of Process
Bursitis.	Any process involving continuous rubbing, pressure, irritation or vibration of the parts affected.
Dermatitis (venenata).	Any process involving the use of acids and alkalies, or acids and oils capable of causing dermatitis (venenata).
Infected blisters.	Any process involving continuous friction, rubbing or vibration causing blisters or abrasions.
Retinitis.	Electric or acetylene welding.
Carbon monoxide poisoning or its sequelæ.	Any industrial process involving the evolution of carbon monoxide.

Description of Disease	Description of Process
Brass, nickel, or zinc poisoning or its sequelæ.	Any process involving the use of nickle or brass, or melting or smelting of zinc.
Poisoning by nitrous fumes or its sequelæ.	Any industrial process in which nitrous fumes are evolved."

Coming into
force.

12. This act shall come into force on the day of its sanction.