



## CHAPTER 79

### An Act respecting Workmen's Compensation

[Assented to, the 22nd of March, 1928]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The Revised Statutes, 1925, are amended by re- R. S., c. 274, placing chapter 274 thereof, by the following: replaced.

### "CHAPTER 274

#### "AN ACT RESPECTING WORKMEN'S COMPENSATION

**"1.** This act may be cited as the *Workmen's Compensation Act*, 1928. Short title.

**"2.** In this act, unless the context otherwise requires: Interpretation:  
1. The word: "Commission" means the Workmen's Compensation Commission created under chapter 275 of these Revised Statutes; "Commission";

2. The word: "Minister" means the Minister of Public Works and Labour; "Minister";

3. The word: "insurer" means any fixed premium or mutual insurance company engaged in workmen's compensation insurance under this act, and also every employer or head of the enterprise or owner of the industry who becomes his own insurer according to section 24. "Insurer".

### "DIVISION I

#### "APPLICATION OF THE ACT

**"3.** Accidents happening by reason of or in the course of their work to workmen, employees and apprentices, en- Compensation for accidents to

certain workmen, etc. gaged in one of the enterprises subjected to the provisions of this act, namely:

1. The work of building, including the business of demolishing;

2. Factories, manufactories or workshops;

3. Stone, wood or coal yards;

4. Lumbering operations, including protection service and the floating of timber;

5. Any transportation business by land or by water, or loading or unloading;

6. Any gas or electrical business;

7. The business of building, repairing or maintaining public roads, railways, tramways, telephones, telegraphs, water-works, drains, sewers, dams, wharves, docks, elevators, bridges, or other similar work;

8. Mines or quarries;

9. Any industrial enterprise or yard, in which explosives are manufactured, used or kept, or in which machinery is used, operated by power other than that of men or of animals, but only if such accident is caused by such machine or discharge of such explosives;

10. Any commercial establishment, but only if the accident which happens in such an establishment is caused by an elevator to the persons in charge of same, or if the accident happens in a workshop forming part of the establishment and is caused to workmen of such workshop by machinery operated by power other than that of men or of animals.—

Shall entitle the injured person or his representatives to compensation as hereinafter determined.

Not applicable to workmen usually working alone.

“4. 1. A workman who usually works alone shall not be subject to liability under this act from the fact of one or more other workmen casually working with him, or from the fact of the members of his family, who live with him, habitually working with him.

Id., to employer of less than seven workmen.  
Exception.

2. The employer of less than seven workmen, even permanently, shall not be subject to the provisions of this act.

3. Nevertheless, such employer may place himself under the provisions of this act if he gives notice to the Commission in the form adopted by its special rules.

Not applicable to agricultural industries, etc.

“5. This act shall not apply to agricultural industries, nor to domestic service, nor to navigation by means of sails even when the vessel is equipped with an auxiliary motor.

Government

“6. The Government of the Province of Quebec and

corporations shall, on the same footing as individuals, be and corporations bound. subject to these provisions whenever they carry on any enterprise subjected to the provisions of this act.

**"7.** 1. Employers to whom this act does not apply may place themselves under its provisions, if they enter into a written agreement for such purpose with their workmen, employees and apprentices individually in the manner and according to the formalities prescribed by the special rules established under the Workmen's Compensation Commission Act (Chap. 275). Such agreement shall avail only from the date of its receipt by the Workmen's Compensation Commission.

2. During the period agreed upon, the respective legal rights and obligations of the signatories of the said agreement with regard to accidents happening by reason of or in the course of the work shall be governed by these provisions to the exclusion of any other law.

**"8.** This act shall not do away with any of the common law rights of action belonging to any persons who cannot avail themselves of its provisions.

**"9.** A minor, fourteen years of age, who is injured in an accident happening by reason of or in the course of his work may alone recover the indemnities due to him under this act.

**"10.** Workmen, employees and apprentices, domiciled in this Province, who are engaged therein to go and work outside its territory, or their representatives, shall not be entitled to benefit from the provisions of this act by reason of accidents happening outside the Province, except when the law of the place where the accident occurred grants them no indemnity.

## "DIVISION II

### "INDEMNITIES

**"11.** The compensation, to which the person injured in the accidents covered by section 3, subsection 3 of section 4, and sections 6 and 7 of this act is entitled, shall be as follows:

1. In case of permanent total incapacity, the injured person shall be entitled to a rent equal to two-thirds (66 2-3%) of his yearly wages; but the aggregate of the sums so paid shall not exceed ten thousand dollars.

What to constitute.	Without restricting the meaning of "permanent total incapacity", the loss of both eyes, both hands or both feet shall in all cases be deemed to constitute permanent total incapacity.
Aggravation.	Where the accident results in an injury which does not, in itself, constitute permanent total incapacity but which aggravates an already-existing permanent injury so that the workman becomes totally incapacitated, then the workman shall be compensated as for permanent total incapacity, taking into account, however, what he is receiving or has already received.
Permanent partial incapacity.	2. In case of permanent partial incapacity, the injured person shall be entitled to a rent equal to two-thirds (66 2-3%) of his yearly wages payable for the period of time fixed, on a basis of four weeks for each one per cent (1%) of incapacity.
Degree of incapacity.	In the cases enumerated in the schedule to this act, the degree of incapacity shall be that mentioned in the said schedule.
Id., where not in schedule.	In cases not provided for in said schedule, the degree of incapacity shall be determined by the nature of the injury, taking into account the incapacity mentioned in the schedule for the cases therein enumerated as well as the injured person's capacity to continue the same kind of work as he was doing before the accident or to take up another kind of occupation.
More than one kind of injury.	Where an accident resulting in permanent partial incapacity causes more than one kind of the injuries enumerated in the said schedule, the compensation shall be payable for a period of time based upon the sum of the various percentages of incapacity set out in the schedule for each of the cases applicable to the injured person.
Temporary incapacity.	If a case of permanent partial incapacity involves temporary total incapacity, the injured person shall be entitled, for such temporary incapacity, to the compensation provided by this act, for the healing period, not exceeding six months, in addition to the compensation allowed for the permanent partial incapacity.
Aggravation.	If an already-existing permanent partial incapacity is aggravated by a new accident, which extends the previous injury to a more serious permanent partial incapacity, the compensation for such new accident shall be based on the difference between the percentage of incapacity resulting from the first accident and that resulting from the second.
Maximum.	In any of the cases above provided in this paragraph 2, the sums so paid shall not exceed an aggregate of five thousand dollars for permanent partial incapacity.
Temporary	3. <i>a.</i> In case of temporary total incapacity which has

lasted less than seven days, the injured person shall be entitled to medical attendance. total incapacity.

b. In case of temporary total incapacity which lasts Id., from 7 days to 6 weeks. seven days or more but less than six weeks, the injured person shall be entitled to compensation equal to two-thirds (66 2-3 %) of his daily wages at the time of the accident, for the period of such incapacity, beginning on the eighth day after the accident.

c. In case of temporary total incapacity which lasts Id., 6 weeks or more. six weeks or more, the injured person shall be entitled to compensation equal to two-thirds (66 2-3%) of his daily wages at the time of the accident, for the period of such incapacity, beginning on the day of the accident.

d. The compensation for temporary total incapacity shall be payable at the time when and place where payment of wages is usually made in the enterprise, but the interval between payments shall not exceed fifteen days. Place and time for payment.

**"12.** 1. In all cases of permanent incapacity, the compensation shall be payable in the form of a monthly rent, from the end of the period of indemnity for temporary incapacity in accordance with the provisions of this act, until the total amount allowed by the act has been paid. Payment of compensation in form of rent.

2. In all cases of permanent incapacity, payment of compensation shall cease upon the death of the injured person. Cessation upon death.

**"13.** In cases of permanent incapacity or temporary total incapacity, the compensation payable to the injured person shall not exceed twenty dollars weekly or the equivalent monthly, and shall not be less than six dollars per week or than the equivalent monthly, unless the workman's wages be less than this amount, in which case the compensation shall be equal to the wages which the workman was then receiving. Maximum and minimum. Exception.

In cases of permanent incapacity, if the injured person is under twenty-one years of age, the compensation shall not be less than six dollars per week or than the equivalent monthly. Minimum in certain case.

**"14.** 1. When the accident results in death, a rent shall be payable monthly, starting from the death, to the representatives, hereinafter designated, of the deceased, in the order in which they are enumerated, and each degree excluding those following: Rent payable for death to:

a. To the surviving consort, not divorced nor separated from bed and board, provided the marriage took place before the accident, a rent equal to thirty per cent (30%) Surviving consort.

Children under sixteen years of age. of the yearly wages of the deceased, payable until the death or remarriage of such consort. If the deceased has left legitimate or legitimized children, under sixteen years of age, the rent to the consort shall be increased in the following proportions, until they attain the full age of sixteen years or die before having attained such age,—

For one child, ten per cent (10%) of the yearly wages of the deceased;

For two children, twenty per cent (20%) of the yearly wages of the deceased;

For three children and more, thirty per cent (30%) of the yearly wages of the deceased;

Remarriage entails loss of rent.

Id., for widow, but final allowance.

Orphans under sixteen years.

In the event of remarrying, the consort shall lose the right to his or her share of the rent, but shall continue to receive that allotted to the children. Where the widow who is receiving a rent remarries, she shall receive a final allowance equal to her share of the rents for twelve months;

b. To each child, under sixteen years of age, who is without father and mother, a rent equal to twenty per cent (20%) of the yearly wages of the deceased, until he reaches the full age of sixteen years or dies before reaching such age; the total of such rents not to exceed sixty per cent of the yearly wages. Such rent shall be payable to the tutor.

Payment to tutor.

Equal division.

Ascendants and descendants.

If there are more than three children, the maximum total of the rents shall be divided equally among those entitled thereto as long as each is entitled thereto.

c. If there be no consort surviving or children, qualified to receive under the preceding sub-paragraphs *a* and *b* of this subsection 1, each of the ascendants and descendants, of whom the deceased was the principal support, shall receive, subject to subsection 2 of this section, a rent, payable to the ascendants for life or until the payment of the maximum fixed by the said subsection 2, as the case may be, and to the descendants until the age of sixteen years if they attain such age, equal to ten per cent of the yearly wages of the deceased; the total amount of the rents so allowed not to exceed thirty per cent (30%) of the yearly wages, and the said total amount, to be divided, when there is occasion therefor, equally among those entitled thereto as long as each is entitled thereto.

Maximum.

Equal division.

Amount of wages as basis.

Maximum.

2. For the purposes of this section, if the wages of the deceased workman exceeds one thousand five hundred and sixty dollars (\$1560) per annum, that amount only shall be taken into account, and in no case shall the aggregate rents awarded to the consort and the beneficiaries, under this section, exceed six thousand dollars.

Additional obligations:

“15. Accidents which are provided for by this act shall,

in addition, entitle the injured person or his representatives, as the case may be:—

1. To all medical, surgical, pharmaceutical and hospital charges according to a tariff approved by the Lieutenant-Governor in Council, as well as to charges of transporting the injured person to the nearest hospital. Wherever there is more than one hospital, the injured person may select one of his own choice; Payment of medical and hospital charges, etc.  
Choice of hospital.

2. To the supplying, and normal renewing, during a period of twelve months, of prosthetic and orthopedic appliances, the use whereof is deemed necessary; and Supplying of appliances.

3. In case of death, to the actual funeral expenses, but to the extent of one hundred and twenty-five dollars only. Funeral expenses.

“16. The employer must procure for the injured person, whose mother tongue is French or English, the services of a physician and, if required, of nurses speaking his language. Should he fail to do so, the injured person may provide them himself at the expense of the employer. The physicians, nurses and hospital establishments having had the care of the injured person may recover, from the employer, the head of the enterprise or the insurer, but, if there is no agreement to the contrary, only to the extent of the sums fixed by the tariff, the cost of their services, on the decision of the Commission according to its special rules, and homologated by a judge of a court of competent jurisdiction upon a summary petition. Physicians and nurses speaking language of injured person.

“17. The injured person shall be bound, but not oftener than once a month, if the employer requires him so to do in writing, to submit to an examination by a practising physician chosen and paid by the employer, and, if he refuses to submit to such examination or opposes the same in any way, his right to rents, allowances and compensation as well as any remedy to enforce the same shall be suspended until the examination takes place. Medical examination.

The person injured shall, in such case, always be entitled to demand that such examination shall take place in the presence of his physician. Id., in presence of his physician.

“18. 1. The rents, allowances and compensation awarded under this act shall be inalienable and exempt from seizure. Rents inalienable, etc.

2. The rents, save those for temporary incapacity, shall be payable monthly, at the domicile of the person entitled thereto, or at any other place, in the Province, indicated by him. Rents payable monthly.

“19. The yearly wages upon which the rent is based shall Basis of

yearly  
wages.

be, in the case of a workman engaged in the business during the twelve months next before the accident, the actual remuneration allowed him during such time, whether in money or in kind.

Id., where  
employed  
less than  
twelve  
months.

In the case of a workman employed less than twelve months before the accident, such wages shall be the actual remuneration which he has received since he was employed in the enterprise, plus the average remuneration received by workmen of the same class during the time necessary to complete the twelve months.

Id., where  
work not  
continuous.

If the work is not continuous, the yearly wages shall be calculated both according to the remuneration received while the work went on and according to the workman's earnings during the remainder of the year.

Overtime.

In the case where the workman receives a fixed wage, any remuneration he may have received for overtime shall not be taken into account in calculating his yearly wages.

### "DIVISION III

#### "LIABILITY

Payment of  
capital to  
insurance  
company.

**"20.** The debtor may, at any time, free himself from the duty of effecting the rental payments for which he is liable, by paying the capital of such rents to an insurance company, approved by the Lieutenant-Governor in Council, which shall in his place undertake the duty of effecting the rental payments.

Rents, etc.,  
at charge of  
immediate  
employer.

Id., of head  
of industry,  
etc.

**"21.** The rents, allowances and compensation established by this act shall be at the charge of the injured person's immediate employer; but the head of the enterprise and the owner of the industry for which such employer is acting as a contractor, sub-contractor or otherwise, shall also be considered as employer and, as such, shall be jointly and severally liable with such immediate employer, towards the injured person or his representatives, for the payment of such rents, allowances and compensation.

Recovery.

The head of the enterprise, or owner of the industry, after having paid, may recover the amount so paid from the party responsible.

Only com-  
pensation  
provided.

**"22. 1.** Damages resulting from accidents happening by reason of or in the course of the work shall only entitle,—as against the employer, the head of the enterprise or the owner of the industry,—the injured person or his representatives, in the cases provided for in this act, to the compensation which it fixes.



2. Apart from the rights granted under this act, the injured person or his representatives shall retain, against the authors of the accident, other than the employer or the head of the enterprise or the owner of the industry or his servants or agents, the right to claim compensation for the damage caused, in accordance with the rules of common law. Liability at common law.

3. The compensation granted them shall free to that extent the employer, the head of the enterprise and the owner of the industry from the obligations put upon them. Such action against the third parties responsible may even be exercised by the employer, the head of the enterprise and the owner of the industry, at their own risk, in the place and stead of the injured person or his representatives, if such injured person or representatives neglect to avail themselves of it within a delay of fifteen days after being put in default in writing. Discharge of obligation. Right of action.

#### "DIVISION IV

#### "GUARANTEES

"**23.** 1. With the exception of the Crown, of municipal, school, ecclesiastical and governmental corporations, and of railways under the control of the Parliament of Canada, every enterprise covered by this act shall, subject to the penalties, obligations and responsibilities therein provided, previously obtain from a fixed premium or mutual insurance company, approved by the Lieutenant-Governor in Council, on the recommendation of the Superintendent of Insurance, an insurance policy satisfactory to the Commission by which the insurer undertakes to perform the obligations imposed, under this act, upon the insured for any accidents of which his workmen, employees or apprentices may be the victims by reason of or in the course of their work, and shall transmit to the Commission a copy of such insurance policy certified by the insurer or a certificate of insurance in the form approved by the Commission, at the option of the Commission. Obligatory insurance.

2. The insurance must be kept in force by the insured as long as he continues to engage in the enterprises covered by this act. Keeping in force.

3. A certificate of the renewal of such insurance policy satisfactory to the Commission shall be furnished to the said Commission at least ten days before its expiry. Renewal.

4. The insurance shall not be cancelled or annulled by the insurer except after ten days' notice to the Commission. Cancellation only after notice.

License as  
self-insurer.

**"24.** Any employer, head of the enterprise or owner of the industry may, at the discretion of the Commission, be exempted from taking out the insurance mentioned in section 23 by obtaining from the Commission a license to be his own insurer for the purposes of this act. Such license shall only be granted on the following conditions:

Application  
to be accom-  
panied by:

1. The application made to the Commission for the license must be accompanied by:

Statement  
of wages;  
Estimate of  
pay-roll;

a. A statement of the wages paid for the previous year, with the number of employees;

Statement  
of sums due;

b. An estimate of the total pay-roll and number of employees for the coming year;

Certificate  
of deposit.

c. A statement of the sums due for past workmen's compensation accidents;

d. A certificate of the deposit or an authentic copy of the surety bond or guarantee policy required in such case by this act. The above statements which accompany the demand shall be sworn to.

Form of ap-  
plication.

2. The application for the license shall be made in the manner, form and tenor required by the special rules.

Self-insurer  
shall:

**"25.** 1. In order to guarantee payment of the compensation, allowances and rents for which such self-insurer may be bound, the latter shall:

Deposit  
security;

a. Deposit in the name of the Commission, in a chartered bank, or in a trust company specially approved by the Lieutenant-Governor in Council, a sum of money or securities approved by the Commission, for an amount equal to what he owes for workmen's compensation with in addition five per cent of the aggregate wages paid in the previous year, the whole to be not less than ten thousand dollars, and a maximum of fifty thousand dollars may in any case be deemed sufficient by the Commission; or

Or furnish  
surety bond;  
or guarantee  
policy.

b. Furnish to the Commission a surety bond or guarantee policy, in the form required by the Commission, by a guarantee insurance company specially approved by the Lieutenant-Governor in Council for the purposes of this act, for the amount determined in sub-paragraph a, immediately preceding.

Disposal of  
deposit or  
security.

2. In the case of a deposit, the Commission shall retain it for the benefit of the persons who may be entitled, as against the self-insurer, to any payment under this act. In the case of security, the Commission shall be the beneficiary on behalf of such persons.

Execution of  
award, after  
homologation.

3. Any award of the Commission, ordering the self-insurer to pay compensation, allowance or rent, may, if not satisfied within the fifteen days after the date on which it was rendered, be executed as a judgment of the Superior

Court, after it has been homologated by a judge of the said Court upon summary petition, against such deposit or against the surety, if need be, in accordance with section 28 of the Workmen's Compensation Commission Act (Chap. 275).

4. The license under section 24 shall be granted for a <sup>Duration of</sup> period of not more than one year. Ten days before its ex-<sup>license.</sup>piry it may be renewed at the discretion of the Commission <sup>Renewal.</sup> upon the conditions and with the formalities required for the initial license.

5. The Commission may authorize the bank or trust <sup>Interest on</sup> company to pay to the depositor the interest on the money <sup>deposit.</sup> or securities deposited in accordance with sub-paragraph *a* of subsection 1 of this section.

"**26.** 1. The insurer shall be bound to pay, upon default <sup>Liability of</sup> by the insured, the compensation, allowances and rents <sup>insurer.</sup> payable by the latter under this act, to the extent and so far as the said insurer is obliged thereto by the insurance contract between him and the insured.

2. The self-insurer shall be liable for the obligations <sup>Id., of self-</sup> imposed upon the insurer by this act. <sup>insurer.</sup>

"**27.** 1. It is forbidden for any employer or head of the <sup>Retention</sup> enterprise or owner of the industry to make any retention <sup>forbidden.</sup> of any part of the salary or wages of his workmen or employees for purposes of insurance against accidents happening by reason of or in the course of their work, even with the consent of such workmen or employees.

2. Any agreement under which such a retention is made <sup>Nullity.</sup> or authorized shall be null and of no effect.

3. In any case where such retention is made, the work- <sup>Recovery of</sup> man, apprentice or employee, in the three months following <sup>unlawful</sup> the termination of his contract of employment, may re- <sup>retention.</sup> cover, before any court of competent jurisdiction, the amount so unlawfully withheld from his salary or wages.

Subsections 1, 2 and 3 of this section shall not apply to <sup>Exception</sup> employees who, individually and in good faith, take out <sup>for supple-</sup> supplementary insurance policies and who give written <sup>mentary in-</sup> orders to their employers to pay the premiums out of their <sup>urance.</sup> wages or salary.

## "DIVISION V

### "NOTICES

"**28.** Every person, other than the Government of the <sup>Notice to</sup> Province of Quebec, liable for the payment of the rents, <sup>Commis-</sup> <sup>sion.</sup>

allowances and compensation awarded under this act, on account of an accident entailing incapacity for more than seven (7) days and happening in an enterprise subjected thereto, shall, within fifteen days after such accident, give notice thereof to the Commission in the form and tenor and in the manner determined by the special rules enacted by the Commission under the authority of the Workmen's Compensation Commission Act (Chap. 275); failing which he shall incur the fine provided for an offence against this act.

Form. Notice to employer. "29. Notice of any accident shall be given to the employer within ten days, by the injured person or his representatives. In default of such notice, the person injured and his representatives are deprived of their right to compensation, unless they prove, to the satisfaction of the Commission, that they have been prevented from giving such notice for reasons deemed sufficient by the Commission.

Fine. Default entails loss of right.

Exception.

#### "DIVISION VI

##### "PENALTIES

Penalty for not complying with obligation to be insured. "30. 1. Every person carrying on an enterprise covered by this act who fails to comply with the obligation to be insured in accordance with its provisions shall be liable to a fine of not less than one hundred dollars and not more than one thousand dollars, payable to the Crown, with costs; and, in default of paying the fine imposed and the costs, the person in default, and, in the case of a corporation, the president and manager thereof, shall be liable to an imprisonment of not less than eight days and not more than thirty days.

Repetition. 2. The fine and imprisonment may be repeatedly imposed until the party in default has complied with this act.

Penalty in case of fraudulent concealment, etc. "31. Every person who, for the purpose of obtaining a compensation, rent or allowance under this act, or of escaping the liabilities imposed by its provisions, is guilty of guile, fraudulent concealment or false declarations, or is an accomplice therein, shall be liable to a fine of not less than one hundred dollars and not more than five hundred dollars, payable to the Crown, with costs; and in default of paying the fine imposed and the costs, the person in default, and, in the case of a corporation, the president and the manager thereof, shall be liable to an imprisonment of not less than eight days and not more than thirty days.

“32. Every offence against any provision of this act, Other  
other than those provided for in sections 30 and 31, shall offences.  
render the person guilty of same liable to a fine of not less Penalty.  
than fifty dollars and not more than two hundred dollars,  
payable to the Crown, with costs; and in default of paying  
the fine imposed and the costs, the person in default, and,  
in the case of a corporation, the president and the man-  
ager thereof, shall be liable to an imprisonment of not less  
than eight days and not more than thirty days.

“33. Suits for the recovery of the fines and the im- Provisions  
position of the penalties for offences against this act shall applicable  
be governed by the provisions of the Quebec Summary to suits.  
Convictions' Act (Chap. 165).

“DIVISION VII

“SPECIAL PROVISIONS

“34. The following shall be null *pleno jure*, non-existent Agreements,  
and of no effect: agreements made contrary to the provi- etc., null  
sions of this act, and every obligation contracted and every *pleno jure*.  
transaction the effect whereof may be to prevent an injured  
person or his representatives from receiving the entire  
amount of the compensation provided and from having the  
full enjoyment thereof.

“35. The application for compensation shall be made Prescrip-  
within twelve months from the date of the accident, after tion.  
which the right to claim compensation shall cease.

“36. Such application shall be made to the Workmen's Application  
Compensation Commission created under the Workmen's to Commis-  
Compensation Commission Act (Chap. 275), in accordance sion.  
with the provisions of the said act and the rules and orders  
enacted under its authority.

“SCHEDULE

“DEGREES OF PERMANENT PARTIAL  
INCAPACITY

“Loss or Loss of Use of:		Percentage of incapacity
*Arm at shoulder	} right.....	55%
	} left.....	50%
*Arm between shoulder and elbow	} right.....	46%
	} left.....	38%

*Arm below elbow or hand at wrist.	<div> <div>right.....42%</div> <div>left.....32%</div> </div>
*Thumb	<div> <div>right.....12%</div> <div>left.....8%</div> </div>
*Index finger	<div> <div>right.....9%</div> <div>left.....5%</div> </div>
*Middle finger	<div> <div>right.....3%</div> <div>left.....2%</div> </div>
*Ring or little finger	<div> <div>right.....2%</div> <div>left.....1%</div> </div>
*First phalange of finger except of thumb and of index finger	<div> <div>50% of incapacity for whole finger</div> </div>
*First phalange of thumb or of index finger	<div> <div>75% of incapacity for whole finger</div> </div>
*More than one phalange of finger or thumb	<div> <div>Incapacity the same as for whole finger or thumb</div> </div>
*Multiple finger injuries	<div> <div>Incapacity equal to the sum of that awarded for each finger but not to exceed 25%</div> </div>
Leg at hip.....	75%
Leg between hip and knee.....	50%
Leg at knee.....	44%
Foot at ankle.....	38%
Great toe.....	3%
Any other toe.....	1%
First phalange of toe	<div> <div>50% of incapacity for whole toe</div> </div>
More than one phalange of toe	<div> <div>Incapacity the same as for whole toe</div> </div>
Multiple toe injuries	<div> <div>Incapacity equal to the sum of that awarded for each toe but not to exceed 6%</div> </div>

One eye.....	20%
Both ears (hearing).....	25%
One ear or hearing of one ear.....	3%

*\* The opposite for a left-handed person."*

**2.** This act shall not apply to cases pending or begun Pending before the first day of September, 1928, nor to the acci-cases, etc. dents happening before such date.

**3.** The acts 16 George V, chapter 32, and 17 George V, Acts re- chapter 67, are repealed. pealed.

**4.** Section 3 of this act shall come into force on the day Coming into of its sanction, and the other sections of this act shall come force. into force on the first day of September, 1928.