



Blind Workers' Compensation Act

CHAPTER 41

OF THE

REVISED STATUTES, 1989

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An Act to Provide for Compensation to Blind Workers for Injuries Sustained and Industrial Diseases Contracted in the Course of their Employment

Short title

1 This Act may be cited as the *Blind Workers' Compensation Act*. R.S., c. 41, s. 1.

Interpretation

2 In this Act,

(a) "blind worker" means a worker as defined by the *Workers Compensation Act*, possessing in his better eye a central actual acuity either with or without glasses not greater than 6-60 or 20-200 (Snellen);

(b) "Board" means the Workers Compensation Board of Nova Scotia;

(c) "employer" means an employer as defined by the *Workers Compensation Act* who has in his employ a blind workman;

(d) "full cost of compensation" means and includes compensation, burial expenses, the cost of furnishing medical aid and all other amounts payable under or by virtue of Part I of the *Workers*

Compensation Act, by reason of a blind worker meeting with an accident for which he would be entitled to compensation under that Act, and shall include the capitalized sum or present value of the sum required as determined by the Board to provide for future payments of compensation to the pensioner or his dependents;

(e) "Institute" means The Canadian National Institute for the Blind;

(f) "Minister" means the Minister of Finance. R.S., c. 41, s. 2.

When Minister to pay cost of compensation

3 (1) Where the full cost of compensation exceeds fifty dollars and where the industry comes under Part I of the *Workers Compensation Act*, the Minister shall pay to the Board the excess of the full cost of compensation over and above fifty dollars.

Payment credited to Accident Fund

(2) Such payment or payments shall be credited by the Board to the Accident Fund created pursuant to the *Workers Compensation Act* and such payment or payments shall be made out of the Consolidated Fund of the Province. R.S., c. 41, s. 3.

Consideration of previous award

4 In making any award to a blind worker for injury by accident under the *Workers Compensation Act*, the Board may have regard to any previous awards made to him for injury under that Act. R.S., c. 41, s. 4.

Assessment on employer

5 The assessment on any employer to be levied by the Board on the wages of a blind worker may be fixed by the Board at such an amount as may be deemed fair, having regard to the provisions of the *Workers Compensation Act*. R.S., c. 41, s. 5.

Nature of work and placement

6 (1) Subject to subsection (2), the Institute shall have exclusive jurisdiction as to the nature of the work a blind worker shall do and as to the proper placement of such worker.

Substitution for Institute

(2) Upon the recommendation of the Board, the Governor in Council may designate any other organization or institution to execute the powers and perform the duties assigned to the Institute under this Act and thereupon this Act shall be read as though the name of such other organization or institution was substituted for the Institute. R.S., c. 41, s. 6.

Deemed waiver of right

7 Where, without the approval of the Institute, an employer gives employment to a blind worker or where, without such approval, changes the nature of the employment, the employer shall be deemed to have waived all right to any benefits of this Act in respect of injury to such blind worker. R.S., c. 41, s. 7.

Right of access

8 Every officer of the Institute shall have a right of access at all reasonable times to the place of employment of a blind worker, provided that the consent or approval of the superintendent or foreman

or person in charge is first obtained. R.S., c. 41, s. 8.

Material provided by Institute

9 The Institute shall provide the Board, upon request, with all such certificates or other material as may be required by the Board in the fulfillment of its duties. R.S., c. 41, s. 9.



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