



NORTHERN TERRITORY OF AUSTRALIA

No. 50 of 1988

AN ACT

to amend the *Work Health Act*

[Assented to 2 November 1988]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Work Health Amendment Act 1988*.

2. ABOLITION OF CERTAIN RIGHTS TO BRING ACTION

Section 52 of the *Work Health Act* is amended by omitting subsection (1) and substituting the following:

"(1) Subject to section 189, no action for damages in favour of a worker or a dependant of a worker shall lie against -

- (a) the employer of the worker;
- (b) any person who, at the relevant time, was a worker employed by the same employer as the deceased or injured worker; or
- (c) the Nominal Insurer,

in respect of -

- (d) an injury to the worker; or
-

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- (e) the death of the worker -
 - (i) as a result of; or
 - (ii) materially contributed to by,
an injury.

"(1A) In subsection (1) 'injury' does not include an injury inflicted or caused by, or as the result of an action or omission of, a worker employed by the same employer as the deceased or injured worker in circumstances in which the employer of the worker would not be liable under section 22A of the *Law Reform (Miscellaneous Provisions) Act* to indemnify the first-mentioned worker in relation to any liability incurred by him or her in relation to the injury."
