

**tasmanian legislation**

TASMANIA'S CONSOLIDATED LEGISLATION ONLINE

VIEW SUMMARY

The legislation that is being viewed is valid for **28 Jul 2011**.**Workers Rehabilitation and Compensation Act 1988 (No. 4 of 1988)****Requested:**28 Jul 2011**Consolidated:**28 Jul 2011**26. Presumption as to cause of disease**

(1) Subject to section 25(2), where a worker suffers a disease of a kind referred to in column 1 of Schedule 4 and has been employed in work of a type referred to in column 2 of that Schedule opposite that disease, it shall be presumed, in the absence of evidence to the contrary, that his employment contributed to a substantial degree to that disease.

(2) The regulations may extend the operation of subsection (1) to diseases and types of work prescribed in the regulations.

(3) A regulation under subsection (2) shall not be made otherwise than on the recommendation of the Board.



Print Page



Find Component



Find Legislation



History ON

**Workers Rehabilitation and Compensation Act 1988 (No. 4 of 1988)**

Requested: 28 Jul 2011

Consolidated as at: 28 Jul 2011

**SCHEDULE 4 - Diseases in Respect of Which There is Presumption of Cause**Section 26**COLUMN 1****COLUMN 2****Description of Disease****Description of Work**

Poisoning by—

Any work involving exposure to the risk concerned.

—Beryllium or its toxic compounds.

Any work involving exposure to the risk concerned.

—Cadmium or its toxic compounds.

Any work involving exposure to the risk concerned.

—Phosphorous or its toxic compounds.

Any work involving exposure to the risk concerned.

—Chromium or its toxic compounds.

Any work involving exposure to the risk concerned.

—Manganese or its toxic compounds.

Any work involving exposure to the risk concerned.

—Arsenic or its toxic compounds.

Any work involving exposure to the risk concerned.

—Mercury or its toxic compounds.

Any work involving exposure to the risk concerned.

—Lead or its toxic compounds.

Any work involving exposure to the risk concerned.

—Fluorine or its toxic compounds.

Any work involving exposure to the risk concerned.

—Carbon Disulphide.

Any work involving exposure to the risk concerned.

—The toxic halogen derivatives of aliphatic or aromatic hydrocarbons.

Any work involving exposure to the risk concerned.

—Benzene or its toxic homologues.

Any work involving exposure to the risk concerned.

—Nitro—or amino—or chloro—derivatives of benzene or its derivatives.

Any work involving exposure to the risk concerned.

—Nitroglycerine or other nitric acid esters.

Any work involving exposure to the risk concerned.

—Alcohols, glycols, or ketones.

Any work involving exposure to the risk concerned.

—Asphyxiants—carbon monoxide, carbon dioxide, hydrogen cyanide, hydrogen sulphide, nitrogen.

Any work involving exposure to the risk concerned.

—Nitrus fumes.

Any work involving exposure to the risk concerned.

Pneumoconioses caused by silica dust (silicosis, anthracosilicosis) and silico-tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death from silico-tuberculosis.

Any work involving exposure to inhalation of silica dust.

Asbestosis.

Any work involving exposure to inhalation of asbestos fibres.

Primary malignant neoplasm of the mesothelium (diffuse mesothelioma) of the pleura or of the

Any work involving exposure to inhalation of asbestos fibres.

peritoneum.

Nystagmus.

Compressed air illness including avascular necrosis.

Disease caused by ionising radiations.

Primary squamous cell carcinoma of skin due to exposure to tar, pitch, mineral oil, anthracene or compounds, products, or residues of these substances.

Infectious or parasitic diseases contracted in an occupation where there is a particular risk of exposure to the agent responsible.

An asthmatic condition caused by fumes resulting from the primary aluminium smelting process.

Any work in or about a mine.

Any work involving exposure to increased or reduced atmospheric pressure from working underground or underwater or from working at high altitude.

Any work involving exposure to ionising radiation.

Any work involving exposure to the risk concerned.

(a) Health or laboratory work;

(b) Veterinary work;

(c) Work handling animals, animal carcasses, or merchandise which may have been contaminated by animals, animal carcasses, or parts of such carcasses –

where that work involves exposure to the infectious or parasitic agents concerned.

Any work involving exposure to fumes produced by the primary aluminium smelting process.

CURRENT VIEW: **1 Feb 1997** -

VIEW THE **SESSIONAL VERSION**