

*Workers Compensation Acts*, by KEVIN ANDERSON, LL.B. (Melb.), Barrister-at-Law, and BARRY W. BEACH, Barrister-at-Law. (Butterworths, 1958), pp. i-xlvii, 1-272. Price £3 15s.

This is one of the series of Butterworths Annotated Acts of Victoria. It does not purport to be anything more than an annotation of the legislation arranged section by section. Anyone wishing to see the wood from the trees will still need Dr Foenander's *Developments in the Law Governing Workers Compensation in Victoria*. But where close examination of any particular tree is needed Anderson and Beach will provide a key to the vast amount of case-law which has grown up around this legislation.

The book also contains the Workers Compensation Rules which regulate the procedure of the Workers Compensation Boards and the Workers Compensation Regulations which govern many aspects of insurance business relating to workers compensation.

One noteworthy feature of the book is that it provides references to some decisions of inferior tribunals as well as those of the superior courts. A decision of a Workers Compensation Board in Victoria may be of persuasive authority only but, as His Honour Judge Stretton states in the foreword, it may also be of assistance to litigants in disclosing the kind of evidence which the Board has thought to be important in past cases. Unless there is systematic dissemination of information about administrative as well as judicial practices, success in some fields of legal practice may turn on a practitioner's ability to ferret out official customs by personal contact. Even if he has the necessary personality he must still lose valuable time.

Although the annotation refers to many English authorities it will not supersede *Willis's Workmen's Compensation*. For instance, there is no annotation to Clause 5 of section 9 which deals with any 'payment, allowance or benefit' received by the worker from the employer during the period of the incapacity. The English authorities on the similar English provision were considered by the High Court in *Thompson v. Armstrong and Royse Pty Ltd*,<sup>1</sup> a decision which does not appear in the annotation. Another important decision which does not appear is *Humphrey Earl Ltd v. Speechley*<sup>2</sup> in which the High Court pronounced upon the interpretation of the phrase 'in the course of the employment'. In treating the definition of 'worker' the authors do not consider whether an outworker can be deemed, under section 3(6), to be working under a contract of service after first finding that he is an independent contractor; see *Little v. Levin Cuttings*.<sup>3</sup>

These are minor blemishes when viewed against the vast amount of material which has been digested in this very useful work and doubtless they will be removed in the next edition.

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<sup>1</sup> (1950) 81 C.L.R. 585.

<sup>2</sup> (1951) 84 C.L.R. 126.

<sup>3</sup> W.C.B.D. (Vic.) advance copies.

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