



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

BLIND WORKERS' COMPENSATION ACT

PLEASE NOTE

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office

Tel: (902) 368-4292

Email: legislation@gov.pe.ca



BLIND WORKERS' COMPENSATION ACT

CHAPTER B-4

1. Definitions

In this Act

- (a) “**blind worker**” means a worker as defined by the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7.1 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 Prince Edward Island;
- (c) “**employer**” means an employer as defined by the *Workers Compensation Act* who has in his employ a blind worker;
- (d) “**full cost of compensation**” means 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 includes 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 dependants;
- (e) “**Institute**” means the Canadian National Institute for the Blind;
- (f) “**Minister**” means the Minister of Finance. *R.S.P.E.I. 1974, Cap. B-5, s.1; 1976, c.34, s.6; 1983, c.1, s.6; 1986, c.5, s.2; 1993, c.29, s.4; 2010, c.31, s.3; 2012, c.17, s.2; 2015, c.26, s.3; 2015, c.36, s.9(2).*

2. Compensation over \$50

- (1) Where the full cost of compensation exceeds \$50 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 \$50.

Payment credited to Accident Fund

- (2) The payment shall be credited by the Board to the accident fund created pursuant to the *Workers Compensation Act* and the payment shall be made out of the Operating Fund. *R.S.P.E.I. 1974, Cap. B-5, s.2; 1976, c.34; 1997, c.20, s.3; 2015, c.36, s.9(3).*

3. Previous injuries

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 the blind worker for injury under that Act. *R.S.P.E.I. 1974, Cap. B-5, s.3; 1976, c.34; 2015, c.36, s.9(3),(4).*

4. Assessment fixed by Board

The assessment on any employer to be levied by the Board on wages of a blind worker may be fixed by the Board at such an amount as may be deemed fair, having regard to the *Workers Compensation Act*. *R.S.P.E.I. 1974, Cap. B-5, s.4; 1976, c.34; 2015, c.36, s.9(3)*.

5. Exclusive jurisdiction of Institute

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

Other organizations

- (2) Upon the recommendation of the Board the Lieutenant 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 the other organization or institution were substituted for the Institute. *R.S.P.E.I. 1974, Cap. B-5, s.5*.

6. Waiver of rights by employer

Where, without the approval of the Institute, an employer gives employment to a blind worker or where without the 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.P.E.I. 1974, Cap. B-5, s.6*.

7. Right of access of officers of Institute

Every officer of the Institute shall have a right of access at all reasonable times to the place of employment of a blind worker, but the consent or approval of the superintendent or foreman or person in charge must be first obtained. *R.S.P.E.I. 1974, Cap. B-5, s.7*.

8. Certificates by Institute for Board

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.P.E.I. 1974, Cap. B-5, s.8*.

