

CASE NO.

VOLUME

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Cite as: Nova Scotia (Workers' Compensation Board) v. Williams, 1998 NSCA 111

WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

Appellant
Respondent on Cross-Appeal

- and -

SHELLEY WILLIAMS

Respondent
Appellant on Cross-Appeal

- and -

WORKERS' COMPENSATION APPEALS TRIBUNAL
OF NOVA SCOTIA

Respondent
Respondent on Cross-Appeal

C.A. No. 143582

Halifax, N.S.

Clarke, C.J.N.S.
(orally)

APPEAL HEARD:

May 22, 1998

JUDGMENT DELIVERED:

May 22, 1998

WRITTEN RELEASE OF ORAL:

May 27, 1998

SUBJECT: **WORKERS' COMPENSATION ACT**, S.N.S. 1994-95, c. 10, s. 229.

SUMMARY: By its decision dated November 12, 1997, the Workers' Compensation Appeals Tribunal granted the worker temporary total disability benefits. It determined that s. 229 of the current **Act** requires the application of the former **Act**. As a result, it declined to apply Board policy. The Board appealed and the worker cross-appealed.

Between the time of the decision of the Workers' Compensation Appeals Tribunal and the hearing of this appeal, the Court of Appeal delivered its judgment in **Muise** on May 12, 1998, C.A. 141481.

RESULT: In the light of the decision in **Muise**, the Court set aside the decision of the Workers' Compensation Appeals Tribunal and remitted the entire matter to the Tribunal for its consideration. The Court was disinclined to comment on the impact of **Muise**, if any, observing that it is for the Tribunal and not the Court to make that decision.

This information sheet does not form part of the Court's decision. Quotes must be from the decision, not this cover sheet. The full court decision consists of 2 pages.