

CASE NO.

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LINGAN BUILDERS LIMITED

THE NOVA SCOTIA WORKERS'
COMPENSATION APPEALS TRIBUNAL
and THE WORKERS' COMPENSATION
BOARD OF NOVA SCOTIA

- and -

(Appellant)

(Respondents)

CA 160679

Halifax, N.S.

ROSCOE, J.A.
(Orally)

[Cite as: Lingan Builders Ltd. v. Nova Scotia (Workers' Compensation Appeals Tribunal), 2000 NSCA 62]

APPEAL HEARD: May 9, 2000

JUDGMENT DELIVERED: May 9, 2000

WRITTEN RELEASE OF ORAL: May 15, 2000

SUBJECT: **Workers Compensation Act, R.S.N.S., 1989, c. 508, s. 109;**
Workers Compensation Act, S.N.S. 1994-1995, c.10, s.138;
Assessment of successor employers

Summary: The appellant was found by a Hearing Officer to be liable for an assessment against Lingan Construction Limited on the basis that the appellant was its successor pursuant to s. 109 of the former **Workers Compensation Act**. On appeal to WCAT, the liability was confirmed on the basis of the application of s.138 of the current **Act**.

Issue: The appellant submitted that WCAT erred in finding that the current **Act** applied.

Result: Appeal dismissed. On the facts, as determined by the Hearing Officer, it was not shown that there was any material difference between s. 109 of the former **Act** and s. 138 of the current **Act** in this case.

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