

(9) Sections 1, 2 and 3, act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof, sureties of said trustees, the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," and its amendments as to nonprofit corporations.

APPROVED—The 24th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 495

AN ACT

Amending the act of June 21, 1939 (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease, contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," relieving a fellow employe from liability except for intentional wrong.

The Pennsylvania Occupational Disease Act.

Act of June 21, 1939, P. L. 566, amended by adding a new section 205.

Fellow worker non-liability except for intentional wrong.

Effective date and applicability.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of June 21, 1939 (P. L. 566), known as "The Pennsylvania Occupational Disease Act," is amended by adding, after section 204, a new section to read:

*Section 205. If disability or death is compensable under this act, a person shall not be liable to anyone at common law or otherwise on account of such disability or death for any act or omission occurring while such person was in the same employ as the person disabled or killed, except for intentional wrong.*

Section 2. This act shall take effect immediately, but shall not apply in the case of disability or death for which a right to compensation under this act accrued on or before the effective date of this act.

APPROVED—The 24th day of August, A. D. 1963.

WILLIAM W. SCRANTON