

struck out former subsec. (j) which provided that whenever the deputy commissioner determines that it was in the interest of justice, the liability of the employer for compensation, or any part thereof as determined by the deputy commissioner with the approval of the Secretary, could be discharged by the payment of a lump sum equal to the present value of future compensation payments commuted, computed at 4 per centum true discount compounded annually, that the probability of the death of the injured employee or other person entitled to compensation before the expiration of the period during which he was entitled to compensation would be determined in accordance with the American Experience Table of Mortality, and the probability of the remarriage of the surviving wife would be determined in accordance with the remarriage tables of the Dutch Royal Insurance Institution, and that the probability of the happening of any other contingency affecting the amount or duration of the compensation would be disregarded, was struck out.

1972—Subsec. (f). Pub. L. 92-576, §15(d), substituted “order staying payment has been issued by the Board or court” for “interlocutory injunction staying payments is allowed by the court as provided therein”.

Subsec. (m). Pub. L. 92-576, §5(e), repealed subsec. (m) limiting aggregate money allowance for an injury under this chapter to \$24,000, making the limitation inapplicable to cases of permanent total disability or death, and providing that in applying the limitation there shall not be taken into account any amount payable under section 908(g) of this title for maintenance during rehabilitation or any amount of additional compensation required to be paid under this section for delay or default in the payment of compensation or any amount accruing as interest upon defaulted compensation collectible under section 918 of this title.

1961—Subsec. (m). Pub. L. 87-87 increased limitation on total money allowance as compensation for injury from “\$17,280” to “\$24,000”.

1956—Subsec. (m). Act July 26, 1956, provided for maximum money allowance of \$17,280 in lieu of total compensation of \$11,000, struck out additional former limit of \$10,000 for disabilities compensable under section 908(c)(21) of this title, and inserted provision excepting from \$17,280 limitation, amounts payable under section 908(g) of this title for maintenance during rehabilitation, and amounts payable under this section for delay or default in payment of compensation or interest collectible under section 918 of this title.

1948—Subsec. (m). Act June 24, 1948, increased overall statutory maximum limitation upon compensation for disability from \$7,500 to \$11,000, and fixed a sublimitation of \$10,000 upon that particular compensation for permanent partial disability which is payable when the case is classified as one in which compensation shall be payable under section 908(c)(21) of this title, but neither limitation shall apply for permanent total disability or death.

1938—Subsec. (f). Act June 25, 1938, inserted “and an interlocutory injunction staying payments is allowed by the court as provided therein”.

1934—Subsec. (j). Act May 26, 1934, substituted “in the interest of justice” for “for the best interests of a person entitled to compensation”, inserted “or any part thereof as determined by the deputy commissioner with the approval of the Commission”, and inserted provision for determining probability of remarriage.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 13 of Pub. L. 98-426 effective 90 days after Sept. 28, 1984, and applicable both with respect to claims filed after such 90th day and to claims pending on such 90th day, and amendment by section 27(a)(2) of Pub. L. 98-426 effective Sept. 28, 1984, see section 28(b), (e)(1) of Pub. L. 98-426, set out as a note under section 901 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-576 effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as a note under section 902 of this title.

EFFECTIVE DATE OF 1961 AMENDMENT

Amendment by Pub. L. 87-87 effective as to injuries sustained on or after July 14, 1961, see section 4 of Pub. L. 87-87, set out as a note under section 906 of this title.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act July 26, 1956, applicable only with respect to injuries and death occurring on or after July 26, 1956, see section 9 of act July 26, 1956, set out as a note under section 906 of this title.

EFFECTIVE DATE OF 1948 AMENDMENT

Amendment by act June 24, 1948, applicable to death or injuries occurring after June 24, 1948, see section 6 of act June 24, 1948, set out as a note under section 906 of this title.

§ 915. Invalid agreements

(a) No agreement by an employee to pay any portion of premium paid by his employer to a carrier or to contribute to a benefit fund or department maintained by such employer for the purpose of providing compensation or medical services and supplies as required by this chapter shall be valid, and any employer who makes a deduction for such purpose from the pay of any employee entitled to the benefits of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000.

(b) No agreement by an employee to waive his right to compensation under this chapter shall be valid.

(Mar. 4, 1927, ch. 509, §15, 44 Stat. 1434.)

§ 916. Assignment and exemption from claims of creditors

No assignment, release, or commutation of compensation or benefits due or payable under this chapter, except as provided by this chapter, shall be valid, and such compensation and benefits shall be exempt from all claims of creditors and from levy, execution, and attachment or other remedy for recovery or collection of a debt, which exemption may not be waived.

(Mar. 4, 1927, ch. 509, §16, 44 Stat. 1434.)

§ 917. Lien against compensation

Where a trust fund which complies with section 186(c) of title 29 established pursuant to a collective-bargaining agreement in effect between an employer and an employee covered under this chapter has paid disability benefits to an employee which the employee is legally obligated to repay by reason of his entitlement to compensation under this chapter or under a settlement, the Secretary shall authorize a lien on such compensation in favor of the trust fund for the amount of such payments.

(Mar. 4, 1927, ch. 509, §17, 44 Stat. 1434; June 25, 1938, ch. 685, §8, 52 Stat. 1167; Pub. L. 92-576, §20(b), Oct. 27, 1972, 86 Stat. 1264; Pub. L. 95-598, title III, §324, Nov. 6, 1978, 92 Stat. 2679; Pub. L. 98-426, §14, Sept. 28, 1984, 98 Stat. 1649.)