

as in its opinion may be justified; provided, however, that no modification or change of any final award of compensation shall be made by the Commission unless application therefor shall be made to the Commission within three years next following the last final award of compensation, but no award shall be considered a final award under this section unless it shall have been so designated on the award by the Commission. In cases where no final award shall have been made by the Commission, but an award not designated as a final award shall have been made by the Commission, no additional award or awards of compensation shall be made by the Commission unless application therefor be made to the Commission within three years next following the last payment of compensation under such award or awards not designated by the Commission as final.

The State Industrial Accident Commission shall not pass any order or make any award designated as a final order or award, except after a hearing, or unless the parties shall have been afforded an opportunity to ask for a hearing, or unless the parties shall consent to the passage of such final order or award.

If case is remanded, Commission may pass new order adopting the amounts fixed in earlier award or ascertaining new amounts *Emmitsburg R. Co. v. Lowe*, 157 Md. 50.

This section referred to in construing secs. 43 and 56. *Gold Dust Corp. v. Zabawa*, 159 Md. 667.

Where amputation of leg due to injury, award of temporary total disability was made and weekly sum for permanent partial disability to begin after expiration of total partial disability, and employee died as result of injury while totally disabled, Commission properly rescinded award for permanent partial disability and awarded widow compensation for his death under authority of this section. *Gratz v. Bethlehem Steel Co.*, 162 Md. 34.

The amendment to this section by ch. 342, 1931, providing that application for modification of final award must be made within one year, held to apply to awards made prior to June 1, 1931, as well as those made thereafter, as it affected procedure and not substantial rights. *Ireland v. Shipley*, 165 Md. 96.

This section referred to in construing sec. 56. *Saf-T-Cab Service v. Terry*, 167 Md. 48.

Cited but not construed in *Balto. Pub. Co. v. Hendricks*, 156 Md. 80.

Safety Rules.

An. Code, 1924, sec. 55. 1914, ch. 800, sec. 54. 1929, ch. 426, sec. 55.

55. The State Industrial Accident Commission is hereby authorized and directed to formulate reasonable rules and regulations looking to the establishment and maintenance of conditions of safety and to the prevention of accidents in occupations covered by the provisions of this Article; that said Commission is hereby authorized and empowered to employ a competent and discreet person who shall be known as Director of Safety, and two additional persons as Inspectors, the said employees to perform such duties as may be required of them by the State Industrial Accident Commission, and to receive such salaries as may be provided for them by the budget of appropriations; no person shall be eligible for appointment as Director of Safety unless he shall have had at least five years' experience in safety engineering work.