

New Zealand.



Title.	ANALYSIS.
Preamble. 1. Short Title. 2. Interpretation. 3. No money to be received or deducted from wages for accident insurance policies.	4. Moneys so received or deducted may be recovered. 5. Consent of worker no defence. 6. Section 6 of "The Truck Act, 1891," amended.

1899, No. 12.

Title.	AN ACT to better secure to Workers the Payment in full of their Wages. [19th October, 1899.]
Preamble.	WHEREAS there has lately grown up amongst certain employers a practice of taking out accident insurance policies, to insure their workmen against accident and themselves against liability under the Employers' Liability Acts, and of compelling or inducing their workmen to contribute, as premium for such insurance, sums at a rate proportionate to their wages: And whereas such practice is oppressive, and it is expedient to prevent the same: And whereas it is also expedient to make other provisions for the protection of wages: BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
Short Title.	1. The Short Title of this Act is "The Wages Protection Act, 1899"; and it shall form part of and be read together with "The Truck Act, 1891" (hereinafter called "the principal Act").
Interpretation.	2. In this Act, if not inconsistent with the context,— "Employer" means any person, company, or local authority employing any worker for hire or reward to perform any kind of skilled or unskilled manual labour, and includes "employer" as defined by the principal Act: "Employers' Liability Acts" means "The Employers' Liability Act, 1882," and includes any other Act now or hereafter in operation under which the employer is liable to pay compensation or damages in respect of personal injury to the worker by accident arising out of and in the course of the worker's employment: "Worker" means any person of any age or either sex employed for hire or reward to perform any kind of skilled or unskilled manual labour, and includes "workman" as defined by the principal Act.

3. From and after the commencement of this Act—

(1.) It shall not be lawful for any employer to directly or indirectly take or receive any money from any worker in his employ, whether by way of deduction from wages or otherwise howsoever, in respect of any policy of insurance against injury by accident.

No money to be received or deducted from wages for accident insurance policies.

(2.) It shall not be lawful for any insurance company, or any person on its behalf, to directly or indirectly take or receive from any worker any money in respect of any policy of insurance which in any way, directly or indirectly, purports to both indemnify the employer against any of his liability under the Employers' Liability Acts, and also to pay compensation in respect of injury to the worker by accident.

Provided that the provisions of this section shall not apply to any voluntary arrangement arrived at between an employer and his worker for insurance against accidents happening to such worker outside the time in which he is engaged working for such employer; provided, further, that such arrangement is approved of by a Stipendiary Magistrate after hearing evidence; but in no case shall the premium payable by the worker exceed one-third of the total amount payable.

4. All money so taken or received as aforesaid from any worker may by him be recovered back at any time not exceeding six months thereafter, with full costs of suit, from the employer, company, or person who took or received it.

Moneys so received or deducted may be recovered.

5. In any proceedings or suit against any employer, company, or person—

Consent of worker no defence

(1.) For the breach of any of the provisions of the principal Act or this Act; or

(2.) For the recovery by the worker of money alleged to have been taken or received from him in breach of any provisions of the principal Act or this Act,—

the fact that the worker consented thereto shall not avail in any way as an answer or defence.

6. Subsection two of section six of the principal Act is hereby amended by adding at the end of that subsection the words "or the defendant or his agent."

Section 6 of "The Truck Act, 1891," amended.