

Hon. Mr. Millar.

WORKERS' COMPENSATION AMENDMENT.

ANALYSIS.

Title.	6. Section 18 of principal Act amended.
1. Short Title.	7. Section 22 of principal Act amended.
2. Section 5 of principal Act amended.	8. Judge of Arbitration Court substituted for Court.
3. Section 6 of principal Act amended.	9. Miscellaneous amendments of principal Act.
4. Repeal.	Schedule.
5. Section 15 of principal Act amended.	

A BILL INTITULED

AN ACT to amend the Workers' Compensation Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Workers' Compensation Amendment Act, 1910, and shall form part of and be read together with the Workers' Compensation Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. Section five of the principal Act is hereby amended by adding the following subsection:—

Section 5 of principal Act amended.

“(11.) In addition to the compensation payable under this section there shall be payable a sum equal to the reasonable expenses of the medical or surgical attendance (including first aid) on the worker in respect of his injury, but not exceeding ten pounds.”

3. Section six of the principal Act is hereby amended by inserting the following subsections:—

Section 6 of principal Act amended.

“(2A.) Where by reason of promotion in his employment the worker has been in receipt of an increased rate of wages, his average weekly earnings shall be computed at the rate he was receiving at the date of the accident, and for the period during which he has been in receipt of that rate.

“(3A.) Where the average weekly earnings of a worker, exclusive of overtime, calculated in accordance with the provisions of this section, exceed *five* pounds, and the Court is satisfied that the employment has been of an intermittent nature thereby causing occasional loss of time, during which it has been generally impracticable for the worker to be engaged at other remunerative employment, the whole or any part of the time so lost may for the purposes of this section, in the discretion of the Court, be taken into account as time worked; and the average weekly earnings shall be computed accordingly.”

Repeal.

Section 15 of principal Act amended.

Section 18 of principal Act amended.

Section 22 of principal Act amended.

Judge of Arbitration Court substituted for Court.

Miscellaneous amendments of principal Act.

Schedule.

4. Section fourteen of the principal Act is hereby repealed.

5. Section fifteen of the principal Act is hereby amended by omitting the words "or killed," and substituting the words "unless the injury results in death or serious and permanent disablement."

6. Section eighteen of the principal Act is hereby amended by 5
repealing subsections three and four thereof and substituting the following:—

"(3.) No such agreement shall be binding on the worker or on the representatives of the deceased worker unless it is made in writing and approved by a Magistrate or Inspector of Factories: 10
Provided that the Magistrate or Inspector shall not refuse his approval unless he is satisfied that the terms of the agreement on the whole are not as favourable to the worker or his representatives as the provisions of this Act.

"(4.) Any such agreement may be made by, and when approved 15
as aforesaid shall be binding on, a person under the age of twenty-one years."

7. Section twenty-two of the principal Act is hereby amended by inserting the following subsection:—

"(1A.) Any money payable under this Act in respect of the 20
expenses of the medical or surgical attendance on an injured worker may be recovered by action in the Magistrate's Court in accordance with this Act at the suit of that worker, or at the suit of any person by whom the said expenses or any of them have been incurred, or at the suit of any person entitled to receive any payment in respect of 25
the said attendance."

8. All references in the principal Act and in the regulations made thereunder to the Court of Arbitration shall be deemed to be references to the Judge of that Court, and not to the Court as constituted under the Industrial Conciliation and Arbitration Act, 30
1908.

9. The principal Act is hereby further amended in the manner indicated in the Schedule hereto.

SCHEDULE.

MISCELLANEOUS AMENDMENTS OF THE PRINCIPAL ACT.

Number of Section amended.	Nature of Amendment.
Section 11 (5)	By omitting the words "in any harbour thereof within the meaning of the Shipping and Seamen Act, 1908, or within the marginal or other waters," and substituting the words "within the outer boundary of the territorial waters."
Section 27 (2)	By omitting the words "by any other person," and substituting the words "any other person."
Second Schedule	By omitting the words "For the purposes of this Schedule an eye, hand, or foot shall be deemed to be lost if it is rendered permanently and wholly useless;" and substituting the words "For the purposes of this Schedule 'loss of' includes permanent loss of the use of."