

SUPPLEMENTARY ORDER PAPER.

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HOUSE OF REPRESENTATIVES.

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Thursday, the 8th day of July, 1886.

EMPLOYERS' LIABILITY ACT 1882 AMENDMENT BILL.

Mr. W. D. STEWART, in Committee, to move the following amendment:—

All the provisions of "The Employers' Liability Act, 1882," (hereinafter called "the said Act") shall have effect and be enforced by every Court in every case notwithstanding any contract or agreement excluding all or any of the provisions of the said Act, or otherwise interfering with the operation thereof: Provided—

- (1.) That this Act shall not affect any contract or agreement made before the passing of this Act;
- (2.) That in determining in any case the amount of compensation payable under the said Act by an employer, the Court shall take into consideration the value of any payment as contribution made by any employer to or for the injured person in respect of his injury, and also the value of any payment or contribution made by such employer to any insurance fund or compensation fund to the extent to which any person who would otherwise be entitled to compensation under the said Act has actually received compensation out of such payment as contribution at the expense of such employer;
- (3.) An action shall not, except by consent, be removed into the Supreme Court unless the amount claimed shall exceed *fifty* pounds.
- (4.) The Court in which any action is commenced or is pending may at any stage of the proceedings amend any defect in a notice of injury or death, or direct that the action may proceed or be maintainable notwithstanding that such notice has not been given duly or at all, if the Court, having regard to the circumstances of the case, think just so to direct; and if it appears to the Court that within the time limited by the said Act for giving such notice, the employer or his agent or representative had knowledge or notice of the occurrence of the accident and of the fact that the workman was injured thereby or that there was reasonable excuse for such defect or omission.

CODLIN MOTH AMENDMENT BILL.

Mr. PEACOCK to move, that the following words be added to the end of clause 2:—

Provided that no action shall be taken under this section until it has been shown that application has been made to the local body in accordance with section four of the said Act without effect.