

New Zealand.



ANALYSIS.

- | | |
|--|---|
| Title.
1. Short Title.
2. Computation of compensation. | 3. Special provisions as to wharf-labourers, &c.
4. When claim for compensation made within prescribed time. |
|--|---|

1904, No. 54.

AN ACT to amend "The Workers' Compensation for Accidents Act, 1900." Title.
[8th November, 1904.]

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

1. The Short Title of this Act is "The Workers' Compensation for Accidents Acts Amendment Act, 1904"; and it shall form part of and be read together with "The Workers' Compensation for Accidents Act, 1900." Short Title.

2. (1.) The compensation to which a worker is entitled under the principal Act in respect of his total or partial incapacity shall be a weekly payment not exceeding fifty per centum of the average of his weekly earnings while at work during the previous twelve months. Computation of compensation.

(2.) Such payment shall be made during the incapacity of the worker, but shall not exceed two pounds per week; and the total liability of the employer in respect of such compensation shall not exceed three hundred pounds:

Provided that no payment shall be made for the first week in any case where the worker's incapacity does not continue for a longer period than two weeks.

(3.) This section is in substitution for section three of "The Workers' Compensation for Accidents Act Amendment Act, 1902," and section five of "The Workers' Compensation for Accidents Amendment Act, 1903," which sections are hereby accordingly repealed.

3. With respect to casual workers employed as stevedores, lumpers, or wharf-labourers, the following special provisions shall apply:— Special provisions as to wharf-labourers, &c.

(a.) In every case where the compensation is based on the worker's average weekly earnings, they shall be deemed to be not less than a full working-week's earnings at the ordinary (but not overtime) rate of pay for the work at which he was employed at the time of the accident, notwithstanding that he may not have actually worked or the employment may not have actually continued for the full week, and the compensation shall be computed and assessed accordingly: Provided that in no case shall the weekly payment be less than one pound.

(b.) This section shall apply to cases of death as well as to cases of incapacity.

4. The claim for compensation shall be deemed to have been made within the prescribed time in any of the following cases:—

(a.) If within the prescribed time the claimant has filed an application for arbitration; or

(b.) If within the prescribed time the claimant has given the employer any written intimation of intention to make a claim, and after so doing, but not later than one month after the expiry of the prescribed time, has filed an application for arbitration; or

(c.) If the claim has been made within such extension of the prescribed time as the Court in its discretion allows: Provided that the period of extension shall in no case exceed one month, and that no extension shall be allowed unless the Court is satisfied that the employer will not be thereby prejudiced in his defence.

When claim for compensation made within prescribed time.