

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,

1st December, 1927.

Hon. Mr. MacGregor.

CONTRIBUTORY NEGLIGENCE.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Liability for damage caused by fault of two or more persons.</p> | <p>3. Matters to be left to juries.</p> <p>4. Liability for costs in action.</p> |
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A BILL INTITULED

AN ACT to alter the Law of Contributory Negligence.

Title.

5 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 Contributory Negligence Act, 1927. Short Title.

10 2. Where by the fault of two or more persons damage or loss is caused to one or more of them, the liability to make good such damage or loss shall be in proportion to the degree in which each of such persons was at fault : Liability for damage caused by fault of two or more persons.

Provided that—

- 15 (a) If, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally ; and
- (b) Nothing in this section shall operate so as to render any person liable for any loss or damage to which his fault has not contributed.

20 3. In actions tried with a jury, the amount of damage, the fault (if any), and the degrees of fault shall be questions of fact for the jury. Matters to be left to juries.

4. Unless the Judge otherwise directs, the liability for costs of the parties shall be in the same proportion as the liability to make good the loss or damage. Liability for costs in action.

By Authority : W. A. G. SKINNER, Government Printer, Wellington.—1927.