

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]
House of Representatives, 12 October 1960

Words inserted by the Committee are shown in roman underlined with a double rule.

Hon. Mr Hackett

WORKERS' COMPENSATION AMENDMENT

ANALYSIS

Title
1. Short Title

2. Accidents to workers travelling between place of employment and premises to which there is right of access
3. Compensation for hernia
4. Salary and allowances of Judge
5. Extra charge on premium

A BILL INTITULED

An Act to amend the Workers' Compensation Act 1956

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

1. Short Title—This Act may be cited as the Workers' Compensation Amendment Act 1960, and shall be read together with and deemed part of the Workers' Compensation Act 1956 (hereinafter referred to as the principal Act).

2. Accidents to workers travelling between place of employment and premises to which there is right of access—The principal Act is hereby amended by inserting, after section 6, the following section:

6A. Without limiting the provisions of section 3 of this Act, it is hereby declared that where an accident happens to a worker while he is travelling to or from his work by the most direct practicable route between the place of employment and premises (not being a dwellinghouse or other

residential premises) to which he has by virtue of his employment the right of access or while he is upon any such premises, the accident shall be deemed to arise out of and in the course of employment if the accident would have been deemed so to have arisen had it happened at the place of employment.” 5

3. Compensation for hernia—Section 18 of the principal Act is hereby amended by adding the following subsection:

“(5) Notwithstanding anything in the foregoing provisions of this section, but subject to the provisions of section 52 of this Act, if the Compensation Court is satisfied that the worker’s incapacity resulting from hernia results from injury by accident arising out of and in the course of his employment, his employer shall be liable to pay him compensation accordingly.” 10 15

4. Salary and allowances of Judge—(1) The principal Act is hereby further amended by repealing section 42 (as amended by section 2 of the Workers’ Compensation Amendment Act 1959), and substituting the following section:

“42. (1) There shall be paid to the Judge of the Compensation Court out of the Consolidated Fund, without further appropriation than this section, a salary at the rate of three thousand five hundred pounds a year, together with such travelling allowances as may be fixed from time to time by the Governor-General: 20 25

“Provided that, while the person holding office as the Judge of that Court on the first day of April, nineteen hundred and sixty, continues to hold that office, his salary shall be at the rate of four thousand pounds a year.

“(2) The salary of the Judge shall not be diminished during the continuance of his appointment.” 30

(2) Section 2 of the Workers’ Compensation Amendment Act 1959 is hereby repealed.

(3) This section shall be deemed to have come into force on the first day of April, nineteen hundred and sixty. 35

5. Extra charge on premium—(1) Section 95 of the principal Act is hereby amended by adding the following additional proviso:

“Provided further that, where an extra charge has been imposed by the Board under this section, that charge shall be imposed on a premium computed at the maximum rate for the time being prescribed under section 90 of this Act.” 40

(2) Section 95 of the principal Act is hereby further amended by adding the following subsection as subsection (2) thereof:

5 “(2) Where the Board has imposed an extra charge under this section, every authorised insurer commits an offence against this Part of this Act who, in respect of any contract of insurance with the employer, charges a premium that is less than the premium computed at the appropriate maximum rate for the time being prescribed under section 90 of
10 this Act increased by the amount of the extra charge imposed under this section.”