

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

*House of Representatives,
8th July, 1898.*

Rt. Hon. R. J. Seddon.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE COUNCIL, 18TH OCTOBER, 1898.]

WAGES PROTECTION.

ANALYSIS.

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A BILL INTITULED

AN ACT to better secure to Workers the Payment in full of their Wages.

WHEREAS there has lately grown up amongst certain employers a practice of taking out accident insurance policies, to insure their workmen against accident and themselves against liability under the Employers' Liability Acts, and of compelling or inducing their workmen to contribute, as premium for such insurance, sums at a rate proportionate to their wages: And whereas such practice is oppressive, and it is expedient to prevent the same: And whereas it is also expedient to make other provisions for the protection of wages:

BE IT THEREFORE 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 Wages Protection Act, 1898," and it shall form part of and be read together with "The Truck Act, 1891" (hereinafter called "the principal Act").

2. In this Act, if not inconsistent with the context,—

"Employer" means any person, company, or local authority, employing any worker for hire or reward to perform any kind of skilled or unskilled manual labour, and includes "employer" as defined by the principal Act:

"Employers' Liability Acts" means "The Employers' Liability Act, 1882," and includes any other Act now or hereafter in operation under which the employer is liable to pay compensation or damages in respect of personal injury to the worker by accident arising out of and in the course of the worker's employment:

"Worker" means any person of any age or either sex employed for hire or reward to perform any kind of skilled or unskilled manual labour, and includes "workman," as defined by the principal Act.

No money to be received or deducted from wages for accident insurance policies.

3. From and after the commencement of this Act—

- (1.) It shall not be lawful for any employer to ~~directly or indirectly take or receive any money from~~ *make any deduction from the wages of any worker in his employ, whether by way of deduction from wages or otherwise howsoever,* in respect of any policy of insurance against injury by accident, *except with the consent in writing of the worker.* 5

Struck out.

- (2.) It shall not be lawful for any insurance company, or any person on its behalf, to directly or indirectly take or receive from any worker any money in respect of any policy of insurance which in any way, directly or indirectly, purports to both indemnify the employer against any of his liability under the Employers' Liability Acts, and also to pay compensation in respect of personal injury to the worker by accident. 10 15

Moneys so received or deducted may be recovered.

4. All money ~~so taken or received~~ *deducted without such written consent* as aforesaid from any worker may by him be recovered back at any time not exceeding six months thereafter, with full costs of suit, from the employer, company, or person who ~~took or received~~ *deducted it.* 20

Consent of worker no defence.

5. In any proceedings or suit against any employer, company, or person—

- (1.) For the breach of any of the provisions of the principal Act or this Act; or 25
(2.) For the recovery by the worker of money alleged to have been taken or received from him in breach of any provisions of the principal Act or this Act,—

the fact that the worker consented thereto shall not avail in any way as an answer or defence *unless such consent has been given in writing.* 30

Section 6 of "The Truck Act, 1891," amended.

6. Subsection two of section six of the principal Act is hereby amended by adding at the end of that subsection the words "or the defendant or his agent."