

14/5

Mr. Palmer.

WORKERS' RIGHT OF APPEAL.

ANALYSIS.

- Title.
- Preamble.
- 1. Short Title.
- 2. Interpretation.

- 3. Worker may appeal without giving security for costs. Proviso.
- 4. Worker's appeal to act as a stay of proceeding.

A BILL INTITULED

AN ACT to provide for Workers the Right of Appeal.

Title.

WHEREAS the rules relating to the practice of the various Courts of law are oppressive, inasmuch as they preclude workers from access to the superior Courts by way of appeal except under conditions, as to giving security for costs, which are prohibitive in the case of workers :

Preamble.

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 Workers' Right of Appeal Act, 1901."

Short Title.

2. In this Act, if not inconsistent with the context, "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 Truck Act, 1891," and extends to and includes any person under the guardianship of such worker, or to any person under the age of twenty-one years to whom such worker stands *in loco parentis*, or for whom such worker is next friend or guardian *ad litem* in any suit, action, or other proceeding.

Interpretation.

3. From and after the passing of this Act every worker, and every person for whom any worker shall be guardian, guardian *ad litem*, or next friend in any action, suit, or other proceeding already commenced or to be commenced, shall have full and free access to the Supreme Court and Court of Appeal by way of appeal, new trial, or rehearing, or otherwise howsoever, but within the time and in the manner in such Courts respectively prescribed by the rules thereof for the time being in force, without being called upon to give, find, or deposit any security for the costs of such appeal, new trial, or rehearing, or for the costs of the action, suit, or proceeding the subject-matter of such appeal, new trial, or rehearing, or for the costs of the judgment or order, or of the refusal to grant the application appealed from :

Worker may appeal without giving security for costs.

Provided always that such worker shall lodge with the notice of motion by way of appeal, or with his notice of motion for a new trial or rehearing, such opinion of counsel as to the advisability or propriety of such appeal, new trial, or rehearing as is required to support petitions and applications for leave to sue *in forma pauperis*.

Proviso.

4. An appeal by a worker shall operate as a stay of execution or proceedings under the decision appealed from.

Worker's appeal to act as a stay of proceeding