

but for the incapacity due to the accident which caused his death have been so dependent," should be struck out, and that after the words "As were," in the second line, the following words should be inserted: "domiciled or resident in New Zealand at the time of the accident which caused his death and were"; and in the third line, after the word "of," insert the words "that accident." The reason I make this suggestion is that there is considerable difficulty in settling with dependants under the present law when the dependants are in foreign parts. For instance, in the case of an Austrian who was killed in Auckland, we had to pay dependants who lived in Croatia, and it was rather a difficult job to get the matter settled. We have also had to pay relatives living in Sweden, and it seems to me that it would be much better if the payments were confined to dependants living in the Dominion, unless there were some reciprocal arrangements made with other countries.

5. *Hon. Mr. Millar.*] If New-Zealanders had the advantage of the law in the particular country?—Yes. Under the definition of "relative," I think that the word "person" should be altered to "worker." As respects seamen, should not this relate to men on the ship's articles only? Under the interpretation clause it has occurred to me to suggest that "trade or business" should be defined, and this should be inserted: "'Trade or business' includes trade, business, or work carried on temporarily or permanently by or on behalf of the employer to which the Act would apply, if such trade, business, or work were partly or wholly the regular trade, business, or work of an employer." It may already be provided for under the Bill, but I am making this suggestion because it has occurred to me that in such an industry as a laundry conducted by the Salvation Army, that particular business should bear the risk of the trade. At present it seems doubtful whether that would be so under the Bill. The definition of "total dependants" I would suggest should be modified in the same way as "partial dependants," by the insertion after the words "As were," in the second line, of the words "domiciled or resident in New Zealand at the time of the accident which caused his death and were"; also by inserting the words "that accident," after the word "of," in the third line, and by striking out all the words in the paragraph after the word "of" in the third line. It seems to me that in section 3 it is a little doubtful as to the exact position with regard to local bodies. Under the Bill of last year there was a schedule relating to them, and I would suggest that the Committee consider the advisability of making this clause a little clearer. Going back to paragraph (b) of subsection (2) of section 3, I think probably that it would be as well to insert a clause saying that "for the purposes of this subsection an employer may have more than one trade or business." In paragraph (a) of section 4 it has occurred to me whether some schedule or scale should not be prepared showing the exact proportion of the full compensation that each dependant should get. If some scheme of that kind were favoured by the Committee, it would save litigation and greatly simplify matters. Then, I think each dependant would know what he should get, and there would be little room for disputes. It is a little difficult, of course, to devise a scale that would be quite equitable; but, still, it is a matter which I suggest to the Committee it should take into consideration. This is a tentative scheme I have prepared which the Committee might consider: "If it were a widower (or a widow), and there is a child, or step-child, or an illegitimate child," I think the full compensation should be paid. If there were "two or more children, or step-children, or grand-children, or illegitimate children," the full compensation should be paid. If a widower (or widow), only 75 per cent. of full compensation; father (or step-father), 60 per cent.; mother (or step-mother), 60 per cent.; one child or grandchild, or illegitimate child, 50 per cent.; grandfather, 50 per cent.; grandmother, 50 per cent.; one or more brothers or sisters, 50 per cent. This scheme would be on the understanding, of course, that in no case of death shall the total sum of the compensation payable exceed the full compensation. If a scheme of that kind could be adopted matters could be settled very promptly. In any event it would be a guide, and if there were several dependants their respective shares could be settled proportionately.

6. *Mr. Barber.*] That would not include everybody entitled to compensation?—It would include the bulk of the dependants. Any cases not included would have to be specially dealt with. I am merely making the suggestion as a means of avoiding disputes and possible litigation.

7. *Mr. Bollard.*] How would you deal with two dependants, one of whom was agreeable—how would you discriminate between the two?—That might have to be dealt with by the Court in the absence of an agreement between the dependants. Still the scheme would give a working basis on which matters could be adjusted between them. In subsection (b) of section 4 I would like to make a suggestion for the consideration of the Committee—namely, to delete the last four lines of this subsection (b), and substitute the following: "A sum equal to three times the value of the benefits received by these dependants from the deceased worker during the twelve months immediately preceding the accident which caused his death, but not exceeding in the aggregate in any case the sum payable under the foregoing provisions." If something of that kind could be adopted it would save a lot of trouble in settlements.

8. *Hon. Mr. Millar.*] It is proposed to recoup the actual loss. If it were 10s. per week, £78 would be paid for the three years?—Yes. In subsection (c) I think these words "or illegitimate" should be carefully considered. If a man is dead it becomes very difficult to dispose of any statement a woman may make against him. I think the words should come out on that ground.

9. You would strike out the words "whether legitimate or illegitimate"?—Yes. In section 5, in the second line, I would suggest that the words "in default of agreement" be inserted after the word "shall." I think, right through the Bill, if matters can be settled without appeal to the Court, it is good policy in the interests of the workers, the employers, and the insurance companies.

10. You would be able to give the workers the money that would go to the lawyer?—Yes, I think so. I notice occasionally, when litigants come to settle the terms, that some of the lawyers say they want another twenty guineas or so added, and it is not very hard to imagine where that goes. In subsection (7) of section 5 I think the words after "weekly earnings"—that is, the words "at