

REPORT

OF COMMISSION TO INQUIRE INTO AND REPORT UPON THE STATUTES RELATING TO COMPENSATION FOR ACCIDENTS TO WORKERS.

To His Excellency the Governor-General of the Dominion of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

The Warrant of Your Excellency dated the 26th April, 1930, accorded the status of a Commission under the Commissions of Inquiry Act, 1908, to a Committee of which were were members, appointed by Government to inquire into the statute law of New Zealand relating to compensation for accidents to workers.

That Committee commenced its sittings on the 18th March, 1930, and its work is incorporated with that of this Commission.

At our first meeting the Minister of Labour, the Hon. Mr. Veitch, indicated that the Committee was not limited as to its line of investigation, and that the Government desired that all interests concerned should be afforded full opportunity of expressing their views. Your Excellency's Warrant gave to this Commission a like wide order of reference.

Twenty-five sittings of the Committee and this Commission have been held, all in Wellington.

The Hon. the Minister notified the Committee at its first meeting that he had, by public advertisement, invited all parties interested or affected to place their views before us.

Witnesses representative of the various interests and industries of the Dominion attended before the Commission and gave evidence, and others submitted their views in writing.

The Department of Labour compiled for us a statement of the requests for amendment of the Act made to Government since the statute was last consolidated. The Commission was also assisted by information received from the Departments of Labour, Land and Income Tax, Pensions, State Fire and Accident Insurance, Public Works, Public Trust Office, Crown Law Office, Law Draftsman, and the Court of Arbitration.

Mr. Jerram, General Manager of the State Fire Insurance Department, made available to the Commission full information respecting the working of the Ontario system, which he had gathered as a result of his special investigation.

We have also examined the compensation laws of other countries, and particularly those of Great Britain, Canada, and the Australian States.

The following brief history of the workers' compensation law in New Zealand will serve as an introduction to our recommendations :—

The history of the law and the development of the same in relation to compensation of workmen prior to the provision of special legislation is set out fairly fully in Part I of the report to the Secretary of State for the Home Department by the Departmental Committee in 1920. The first New Zealand Act was passed in 1900. It was practically an adoption of the corresponding Imperial Act of 1897. The 1900 Act was an initial attempt to deal with compensation of workers for injuries received by accident whilst at work. The Act itself was not brought into force until a date fixed by Order in Council. It applied to employees engaged in—

- (1) Industrial, commercial, or manufacturing work :
- (2) Mining, quarrying, engineering, building, or other hazardous work :
- (3) Work carried on by the Crown or local authority which if carried on by a private employer would come under the Act.

There was provision also for contracting out if the employer and workers had entered into a scheme for compensation approved by the Board of Conciliation appointed under the Industrial Conciliation and Arbitration Act.