

125. Is it not a fact that in some occupations the whole of the materials used in the manufacture are supplied by the employer, whereas in other cases the employee has to find a portion of it?—That is so. Carpenters have to go to considerable expense in supplying themselves with tools.

THURSDAY, 22ND OCTOBER, 1903.

Mr. EDWARD TREGEAR made a statement. (No. 21.)

*Mr. Tregear* : I am Secretary of the Labour Department. I am not going to say much with regard to the Workers' Compensation for Accidents Bill. The Committee has already had my opinion on the Bill. There was, however, some evidence given yesterday in which statements were made which might be misleading to the Committee, and I want to put right some of the statements which were made. One witness stated that a Judge of the Arbitration Court gave a decision in favour of a farm-labourer before farm-labourers were covered by the amending Act. I may state that farm-labourers have always been covered, and it has been so held in a great many cases. It had been said by many people that a man who was working on a threshing-machine or on a reaper-and-binder did not come under the provisions of the original Act; therefore an amending Act was passed which clearly defined those who were to come under its provisions, and farm-labourers came under the definition. A witness stated that a man who dropped at his work and was injured was subject to fits, and that it was in consequence of a fit that he was injured. The insurance manager put in that plea in the case of *Susan North v. The Dunedin Threshing-machine Company*, in September, 1902. The whole of the evidence came before Judge Cooper, and he gave a decision in favour of the applicant. I think the Committee will accept the judgment of the Judge as against the statement of the insurance manager. Another witness stated that his firm contributed 10 per cent. to the Sick and Accident Fund of the men, and that they became a sort of friendly society. I would only point out that, although such an arrangement was very good as far as a sick-fund was concerned, it did not provide any large sum for the widow in case of the death of her husband in the way of compensation. Another statement was made by a witness that the fines in the Arbitration Court cases go to the unions. I may point out that is not so, because in later cases the Department of Labour has brought the action and the fine has gone to the Department.

126. *Mr. Tanner*.] Do the fines go to the union when it initiates the prosecution?—When the Judge decides that it shall be so they do.

127. *Mr. Aitken*.] Have you any idea of the percentage of fines which go the unions?—I could not say without consulting the documents. Another witness stated that there were four firms in Auckland who themselves covered the whole of their risks. I may say that when the first Workers' Compensation for Accidents Bill was brought in, and when the Government Insurance for Accidents Bill was brought down, I expressed the opinion that it was a bad thing to contract out the compensation for accidents to workers, because it tends to put a man's life in danger. In Germany the employers in each trade insure themselves, as these firms in Auckland have done. They then take care that their machinery is up to date, and firms like these Auckland timber firms will not use obsolete machinery. I think that when an employer is allowed to insure his workmen outside he may sometimes be exposed to the temptation of allowing his men to go into dangerous places, which otherwise he would not do.

128. *Mr. Aitken*.] Does not the same principle apply to the insurance company? If there is a chance of it having to pay a heavy loss, will it not see that the machinery is good before it gives the insurance?—No doubt; but the good employer will have a greater interest in seeing that all machinery is good.

129. *Mr. Bollard*.] If a man meets with an accident by allowing himself to go among dangerous machinery so that his friends may get compensation, that does not prevent him going for the employer under the Employers' Liability Act?—No doubt; but that is an Act which it is very difficult to work. A witness expressed the opinion that ordinary cases should be decided by a Stipendiary Magistrate, that the employers approved of the ordinary Courts being used for this purpose, and that the Arbitration Court should have nothing to say to them. I can only say that if the ordinary Courts are to be used for these cases, and there is to be an appeal from Court to Court, with all the expense of employing lawyers, and so on, it would entirely defeat the intent of the labour laws, and prevent justice being done to the parties. With regard to bringing cases before the Court, the Department is of opinion that it would be greatly to the interest of all parties if the employees were obliged to appeal to the unions before they brought their cases into the Court. It would save considerable expense. I will now turn to the Labour Department Bill. One witness said that it was a Bill that should not be placed on the statute-book, because the statistics could be obtained under existing Acts. I have only to reply that we wish to widen these statistics so as to take in every occupation in the country, so that we may be able to lay reliable statistics before Parliament when we make our reports. One deputation stated yesterday that late reports gave figures with regard to wages which were given two years ago. It is not possible that a report should have been sent in which did not take account of the alteration in wages which has occurred in the meantime. It was also stated that the report of the Registrar-General and the income-tax returns were sufficient as to the cost of production. I say that they are not, and I have brought here a volume which will show the sort of thing which the United States Labour Department does in this respect every year. There is no country in the world in which there is more industrial freedom than there is in the States, and yet this system of obtaining reliable statistics has been carried on for years, and has never been objected to. In regard to its being inquisitorial, it is nothing in that respect when compared