

## WORKERS' COMPENSATION ACT.

During the year ninety-five cases were heard and determined by the Court of Arbitration (previous year sixty-five).

The more important decisions, with a digest thereof, are published in "New Zealand Workers' Compensation Cases," which is issued annually by the Department.

## WORKERS' COMPENSATION AMENDMENT ACT, 1936.

As previously mentioned, provision was made in section 9 of the above Act to prevent the discontinuance of weekly payments of compensation to workers except, *inter alia*, where a medical committee certified that the worker was fit for work. It was subsequently found, as a result of a decision of the Court of Appeal, that this provision was liable to cause hardship in that it precluded the Court of Arbitration from hearing any claims for compensation where the medical committee had certified that the worker was fit for work, and it was afterwards found that such was not the case. Section 9 of the Workers' Compensation Amendment Act, 1936, was therefore amended by section 62 of the Statutes Amendment Act, 1938, and it is now provided that weekly payments of compensation shall not be ended or diminished in disputed cases except pursuant to a judgment of a competent Court or pursuant to leave granted by a Judge of the Court of Arbitration or a Stipendiary Magistrate. Although leave may be given to end or diminish weekly payments, this does not preclude the worker from subsequently taking proceedings for the recovery of compensation. Where an employer ends or diminishes weekly payments contrary to the provisions of the Act the worker may recover double the amount in respect of which default has been made.

As a result of the above legislation the need for the medical committees mentioned in last year's report ended and they automatically lapsed.

## REGULATIONS UNDER WORKERS' COMPENSATION ACT.

The regulations under the Act were completely revised and consolidated during the year and were issued as the Workers' Compensation Rules 1939. Although mainly a consolidation of the previous regulations, these rules introduce for the first time provision for discovery of documents and for the transfer of compensation-moneys. The new rules relating to discovery bring the practice of the Court of Arbitration into line with Supreme Court practice, and simplify the procedure by allowing for discovery and inspection of documents and for the use of interrogatories. The transfer of funds rules provide for reciprocal arrangements between New Zealand and other countries within the Dominions of the Crown for the transfer and administration of compensation-moneys due to New Zealand beneficiaries resident overseas, and *vice versa*.

## SHEARERS' ACCOMMODATION ACT, 1919, AND AGRICULTURAL WORKERS ACT, 1936.

## ACCOMMODATION.

The following inspections of accommodation under the above Acts were made during the year:—

Accommodation for—

Farm workers	..	..	..	..	..	..	1,409
Orchard workers	..	..	..	..	..	..	120
Sawmill workers	..	..	..	..	..	..	73
Shearers	..	..	..	..	..	..	1,923
Total	..	..	..	..	..	..	3,525

As a result of the inspections 693 requisitions requiring improvements were served—farm workers, 292; orchard workers, 47; sawmill workers, 12; and shearers, 342.

## REMUNERATION AND CONDITIONS OF EMPLOYMENT.

The Agricultural Workers Act, 1936, fixed minimum wages based on age for workers on dairy-farms and provided for revision following alteration of the guaranteed price for dairy-produce under the Primary Products Marketing Act, 1936. Accordingly when the guaranteed price for the 1938-39 season was determined the wages-rates were reviewed and the Agricultural Workers' Wage Fixation Order 1938 (Serial Number 1938/128), which operated as from the 1st August, 1938, prescribed new rates. An increase of 7s. 6d. a week (to £2 12s. 6d.) was provided for workers of twenty-one years of age and upwards, with smaller increases for workers below that age. Where board and lodging is not provided by the employer an additional amount of £1 per week is payable to the worker.

Power is given in section 20 of the Act to extend Part III (Special Provisions as to Employment on Dairy-farms), with modifications, to specified classes of agricultural workers, other than those employed on dairy-farms. The extent to which such extensions have been made is indicated by the following table, which gives details of the Extension Orders at present in operation.