

In addition to the diseases provided in section 10 of the New Zealand Act, we recommend inclusion of the following :—

Description of Disease or Injury.	Description of Process.
(1) Miners' beat-knee, beat-hand, beat-elbow.. ..	Mining.
(2) Nystagmus	Mining.
(3) Dermatitis—	
(a) Dermatitis produced by dust or liquids	Baking ; cement-working ; woodworking ; french-polishing.
(b) Ulceration of the skin produced by dust or liquids	
(c) Ulceration of the mucous membrane of the nose or mouth produced by dust	
(4) Diseases arising out of the handling of basic slag ..	Handling of basic slag by watersiders.
(5) (a) Epitheliomatous cancer or ulceration of the skin due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound, product, or residue of any of these substances	Handling or use of tar, pitch, bitumen, mineral oil, or paraffin, or any compound product, or residue of any of these substances.
(b) Ulceration of the corneal surface of the eye, due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound, product, or residue of any of these substances	Handling or use of tar, pitch, bitumen, mineral oil, or paraffin, or any compound product, or residue of any of these substances.

The present system of adding further diseases by Order in Council after due inquiry appears to us to be satisfactory.

We recommend that, with similar safeguards, the principle of section 43 of the English Act, 1925, be incorporated in the New Zealand Workers' Compensation Act, in so far as it applies to industrial diseases ; that is to say, we consider that an employer should be held liable unless he can prove that the disease was not due in whole or in part to the employment of the worker while in his service.

We further recommend that no compensation be payable unless the worker has been resident in New Zealand for a period of two years next preceding the date of his first disability, except where the Court is satisfied that the disease is not due to other cause than his employment in New Zealand.

Separate Court. (See Recommendation No. 10.)

Up to the present time disputes arising under the Workers' Compensation Act have been dealt with by the Industrial Arbitration Court. That Court, as its name implies, was set up to settle disputes arising under the Industrial Conciliation and Arbitration Act, an Act which was passed in 1894. The Workers' Compensation Act did not come into force until some years later, in 1901, and the Court of Arbitration was vested with the power of settling disputes under that Act in addition to the work it already had. That the Court performed its function under the Workers' Compensation Act satisfactorily for a long time is admitted, but of recent years there have been many complaints owing to delay, the Court from pressure of work being unable to visit the various centres sufficiently often to enable cases, both industrial as well as those arising under the Workers' Compensation Act, to be dealt with expeditiously.

Practically all the witnesses before the Commission referred to these delays, and some stated that the delays increased the costs of compensation, while also causing unnecessary worry to parties awaiting settlement of compensation cases. In order to overcome these delays and their consequences, witnesses suggested that a separate Court should be set up to deal with matters arising under the Workers' Compensation Act. Witnesses were not in agreement as to the form, constitution, or functions of the proposed new Court, but we have carefully considered the various suggestions which were made, and we are unanimous in the recommendation which we now make, namely : That a separate Court, to be known as the Workers' Compensation Court, be established to deal principally with workers' compensation cases, the Court to be constituted similarly to the present Arbitration Court, and to be vested with the powers now exercised by the Arbitration Court in regard to compensation matters.

Another recommendation which has a bearing on the recommendation for a separate Court, and is in a measure supplementary to it, is that the provision for appointment of medical referees now provided for in section 58 (1) of the Act