

The cost of this proposed Court should not, in our opinion, be considered a serious objection, as it seems evident that the Legislature would be called upon to provide some means of expediting the work of the Arbitration Court even if amendments to the Workers' Compensation Act had not become necessary.

**Common Employment.** (See Recommendation No. 14.)

The Commission was requested to give consideration to section 67 with a view to the deletion of the limit of £1,000 contained in subsection (3) thereof, the effect of the request being to cause the employer to be liable for an unlimited amount for non-fatal injuries caused by reason of the negligence of a fellow-servant quite independently of the question whether or not there had been negligence on the part of the employer.

We have thoroughly investigated the representations made, and, bearing in mind that the worker has, or his dependants have, remedies against the employer independently of this Act for accidents causing injury or death brought about by defects in works, plants, or machinery, due to the employer's own negligence, are of the opinion that even although the Act does not limit the amount of damages that may be awarded in regard to fatal cases a maximum liability with respect to non-fatal cases is desirable. We recommend that the maximum sum prescribed in subsection (3) be increased to £1,250.

**Partial loss of Sight.** (See Recommendation No. 15.)

The recommendations of the Commission in respect of partial loss of sight and the loss of an only eye are made with a view to relieving cases of hardship and to bring the Act into line with the provisions of some Australian Compensation Acts.

**Compulsory Insurance.** (See Recommendation No. 18.)

The Act at present imposes a heavy liability upon employers ; and although the great majority of employers now insure, we are satisfied that cases of hardship arise through the failure of some employers to do so. The recommendations we are making will, if adopted, impose a further liability upon employers ; and, as we do not think that any worker who has a claim under the Act should be exposed to the risk of not receiving the compensation provided by the Act, we consider and recommend that insurance should be made compulsory on all employers except the Crown, a local or other public authority, and any other employer who, in the opinion of the Workers' Compensation Court, has adequate financial resources to meet all possible claims under the Act for a period of not less than five years, and who obtains a certificate of exemption from the Court.

We recommend further that penalties be provided for failure to insure, action against defaulting employers in this connection to be taken by the Labour Department.

**Wage Statements.** (See Recommendation No. 18.)

Evidence has been submitted to the Commission that frequently there is difficulty in obtaining from employers correct wage statements, upon which compensation premiums are based. We consider that a statutory duty should be imposed upon every employer to keep a careful and accurate account of all wages paid to his employees, and to render a correct account thereof to his insurance office, whenever required, accompanied by a statutory declaration. Employers' wage accounts should be open to audit by an authorized representative of the insurance office, and penalties should be provided for wilful breaches of these provisions.

**Facial Disfigurement.**

Provision is already made for compensation where disfigurement results in loss of earning-power, and cases where such loss occurs appear to be adequately met.

Verbatim reports of the evidence given were taken and a copy thereof is presented to Your Excellency with this report.

Dated at Wellington, this 31st day of May, 1930.

SYDNEY G. SMITH.  
H. T. ARMSTRONG.  
G. R. SYKES.  
JAS. T. HOGAN.  
J. H. JERRAM.

ARTHUR SEED.  
G. KERRUISH.  
THOMAS BLOODWORTH,  
W. NEWTON.