



ANALYSIS

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1968, No. 121

An Act to amend the Workers' Compensation Act 1956

[13 December 1968]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Workers' Compensation Amendment Act (No. 2) 1968, and shall be read together with and deemed part of the Workers' Compensation Act 1956 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the first day of April, nineteen hundred and sixty-nine.

2. Statement of wages to be delivered by employer to authorised insurer—(1) Section 85 of the principal Act is hereby amended by inserting, after subsection (7A) (as inserted by section 4 of the Workers' Compensation Amendment Act 1959), the following subsection:

“(7B) Where an employer has delivered to an authorised insurer a statement of wages as required by this section in respect of a worker or workers whom he employs or may employ solely in his capacity as a householder, it shall not be necessary for the employer to forward from time to time any

further statement of wages required by this section in respect of any such workers; and in every such case the contract of insurance shall continue from year to year as provided in section 88 of this Act, and in consideration thereof the employer shall from year to year pay to the authorised insurer the premium from time to time assessed pursuant to section 91 of this Act."

(2) Section 91 of the principal Act is hereby amended by adding the following subsection:

"(4) In cases where subsection (7B) of section 85 of this Act applies, the assessment may be in such form as the authorised insurer thinks fit."

3. Assessment of premiums payable by employers—

(1) Section 91 of the principal Act is hereby further amended by repealing subsection (1), and substituting the following subsections:

"(1) Each authorised insurer shall, as soon as practicable after receiving any statement of wages, assess the amount payable by way of provisional premium by the employer for the indemnity to which he is entitled under this Part of this Act, which provisional premium shall—

"(a) In the case of an employer who furnished a statement of wages for the preceding year, be based on the wages paid in that year:

"(b) In any other case, be based on the estimate of wages contained in the statement.

"(1A) Notwithstanding anything in paragraph (a) of subsection (1) of this section, an authorised insurer may in any case, instead of assessing the provisional premium in accordance with that paragraph, assess the provisional premium at an amount agreed upon between the insurer and the employer, upon the ground that in their opinion the amount of the provisional premium assessed in accordance with that paragraph would be substantially more or substantially less than an amount that in the circumstances would be equitable."

(2) Section 85 of the principal Act is hereby consequentially amended by repealing paragraph (b) of subsection (3).