

Supplementary Order Paper.

HOUSE OF REPRESENTATIVES.

Tuesday, the 19th Day of December, 1933.

FINANCE BILL (No. 2).

AMENDMENTS proposed by His Excellency the Governor-General:—

Clause 35, subclause (1): To omit the words “or neighbouring” in line 7; to add to the subclause the following words “For the purposes of this section any land that is separated from such first-mentioned land only by a road, railway, or river, or by any other land in respect of which the irrigation agreement is registered, shall be deemed to be contiguous to such first-mentioned land”.

Clause 35, subclause (2): To omit the words “or neighbouring” in line 18.

Clause 36, subclause (1): To omit the words “that are now payable or” in line 1.

Clause 36, subclause (4): To omit the words “are due and unpaid” in lines 34 and 35, and substitute the words “that may hereafter become payable”; to insert, after the word “land” in line 36, the words “are unpaid”.

Clause 36, subclause (5): To insert, before the word “payable” in line 3, the words “that may hereafter become”.

Clause 36: To add the following subclause:—

(7) This section shall come into force on a day to be fixed in that behalf by the Governor-General by Order in Council.

Clause 49: To omit this clause.

Clause 56: To omit this clause, and substitute the following clause:—

56A. (1) In this section the term “insurance company” means a company within the meaning of the Accident Insurance Companies Act, 1908, and includes the State Fire Insurance General Manager, and also includes a British underwriter or foreign underwriter, and the agent of any such underwriter, as those terms are respectively defined in the Insurance Companies' Deposits Amendment Act, 1927. For the purposes of this section personal injuries from accidents due to fire resulting directly or indirectly from earthquake shall be deemed to be personal injuries from accidents due to earthquake.

Limitation of the liability of insured employers and of insurance companies to pay compensation for injuries to workers due to earthquake.

(2) Notwithstanding anything to the contrary in the Workers' Compensation Act, 1922 (hereinafter referred to as the said Act), or in any contract of insurance indemnifying an employer for his liability to pay compensation under that Act to any workers or to the representatives or dependants of any workers, the following provisions of this section shall apply in cases where compensation is payable under that Act by any employer or employers for personal injury to any worker or workers arising out of and in the course of his or their employment, if such injury has been caused after the passing of this Act by accident due directly or indirectly to earthquake.

(3) The maximum liability of all insurance companies, as hereinbefore defined, under any contract or contracts of insurance as aforesaid, shall not exceed *fifty thousand* pounds in respect of personal injuries to workers resulting from a single earthquake, or resulting from any of a series of earthquakes occurring within any period of seven full days.

(4) In any case where the total liability of all insurance companies as aforesaid, under their contracts of insurance, would, apart from this section, exceed *fifty thousand* pounds, the aggregate liability of the several companies as fixed by this section shall be apportioned among them by the Governor-General in Council in proportion, as nearly as may be, to the premium incomes of the several companies received by them during the year ending on the last preceding thirty-first day of December in respect of their employers' liability insurance business :

Provided that if any such company was not carrying on such business in the preceding year its proportion of the aggregate liability shall be determined by the Governor-General in Council in such manner as he thinks proper.

(5) Where the aggregate liability of insurance companies as fixed by this section is less than the total liability insured against by the employers, the workers or other persons entitled to claim compensation from such employers under the said Act in respect of accidents due to the earthquake or series of earthquakes, as hereinbefore mentioned, shall be entitled to receive from the insurance companies an amount of compensation, bearing the same proportion to the full amount of compensation, as the sum of *fifty thousand* pounds bears to the aggregate amount of all valid claims made in respect of compensation for accidents due to such earthquake or series of earthquakes.

(6) Where an employer has been indemnified by an insurance company in respect of his liability to pay compensation to any worker or workers employed by him in respect of accidents arising in the course of their employment, his liability to pay such compensation in respect of any accident to which this section applies shall be satisfied on payment by the insurance company of a proportionate part of such compensation in accordance with the foregoing provisions of this section.

(7) The Governor-General may by Order in Council make regulations for the purpose of distributing among claimants the amounts of compensation to which they are entitled in accordance with this section and otherwise for the purpose of giving effect to this section.

New Clauses.

To insert, after clause 45, the following new clause :—

45A. Section thirty-three of the Finance Act, 1928, is hereby amended by adding the following as subclause (2) thereof :—

Section 33 of
Finance Act,
1928, amended.

“(2) Any moneys duly borrowed by way of such excess overdraft for the purpose of meeting interest charges as aforesaid may, subject to such terms, conditions, and stipulations as are imposed by the authorizing Order in Council, be repaid out of moneys standing to the credit of the sinking fund of the loan or portion of a loan in respect of which such interest is payable, and the Sinking Fund Commissioners shall on demand by the Board make such payments out of the sinking fund as may be required to make such repayment.”

To add the following new clauses :—

64. (1) Section eighteen of the Motor-vehicles Act, 1924, as amended by section eleven of the Motor-vehicles Amendment Act, 1927, is hereby further amended as follows :—

Section 18 of
Motor-vehicles
Act, 1924,
amended.

(a) By omitting from subsection one the words “ only for the purposes of sale or for the purposes of his business as a manufacturer of or dealer in motor-vehicles ”, and substituting the words “ for the purposes of sale or for the purposes of his business as a manufacturer of or dealer in motor-vehicles, whether or not it may at any time be used for any other purpose ”.

(b) By repealing paragraph (a) of subsection three thereof.

(2) Section eleven of the Motor-vehicles Amendment Act, 1927, is hereby amended by repealing paragraphs (a) and (c) thereof.

Repeal.

65. The Schedule to the Commercial Trusts Act, 1910, is hereby amended by omitting therefrom the words “ Tobacco (including cigars and cigarettes) ”.

Commercial
Trusts Act, 1910,
not to apply to
tobacco.