

Serial Number **1953/67**



**THE EMPLOYERS' LIABILITY INSURANCE REGULATIONS  
1951, AMENDMENT NO. 2**

---

C. W. M. NORRIE, Governor-General  
**ORDER IN COUNCIL**

At the Government House at Wellington, this 10th day of June 1953

Present:

**HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL**

PURSUANT to the Workers' Compensation Amendment Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

---

**REGULATIONS**

1. (1) These regulations may be cited as the Employers' Liability Insurance Regulations 1951, Amendment No. 2, and shall be read together with and deemed part of the Employers' Liability Insurance Regulations 1951\* (hereinafter referred to as the principal regulations).

2. Regulation 5 of the principal regulations is hereby amended by adding to subclause (1) the following proviso:

"Provided that in respect of any period commencing on or after the 1st day of April 1953 the rates set out in the Second Schedule hereto shall be deemed to be reduced by 7½ per cent."

3. The First Schedule to the principal regulations is hereby amended by revoking the form numbered 1, and substituting the form set out in the Schedule hereto.

\* Statutory Regulations 1951, Serial number 1951/38, page 123.  
Amendment No. 1: Statutory Regulations 1951, Serial number 1951/252, page 916.

**SCHEDULE**

[*Authorized Insurer's Name to be inserted here*] Form No. 1

Please send to:—

**EMPLOYER'S STATEMENT OF WAGES**

In accordance with the provisions of the Workers' Compensation Act, 1921.

Please read the Explanations on the Back of this Form.

EMPLOYER'S FULL NAME (Block Letters)	Mr. (Christian Names)	(Surname)
FULL POSTAL ADDRESS (Block Letters)	Mrs. (Street No.)	(Street or Road, &c.) (Town)
TRADE, BUSINESS, or WORK for which insurance is required		
PLACE where the trade, business, or work is carried on		

DESCRIPTION OF WORK —	WAGES. (INCLUDING HOLIDAY PAY, OVERTIME AND BONUSES)							
	PAID during the PAST YEAR ended 31st March, 19.....				ESTIMATED for ENSUING YEAR ending 31st March, 19.....			
	Wages and Salaries	Keep	Other Allowances	Total	Wages and Salaries	Keep	Other Allowances	Total
	£	£	£	£	£	£	£	£
1. OFFICE WORK—Managers, Clerks, and others engaged in Office Work only .....								
2. GENERAL EMPLOYEES—PERMANENT AND CASUAL— (State Each Class of Employment)								
Is power-driven machinery used in your business? .....								
3. FARMING WORK— (a) Own employees engaged in general farming work .....								
(b) Share-farmers— (1) on basis of Minimum Wage Act, 1945 .....								
(2) if you desire to insure for a greater benefit, the full estimated net earnings should be declared .....								
(c) Neighbouring farmers' services valued in cash, kind or estimated ..								
(d) Contractors engaged in occupations set out under 4 (d) on back hereof. (State occupation) ..								
4. BUILDING WORK (Erection, Alterations, or Repairs)— (a) Private houses, or other buildings not exceeding two storeys (basement is deemed a storey) .....								
(b) Buildings (other than private houses) exceeding two storeys .....								
5. DOMESTIC AND CASUAL WORK AT PRIVATE RESIDENCE— Domestic and casual work in or about private residence ..								
6. CONTRACTORS (other than farming) engaged in occupations set out under 4 (d) on back hereof. (State occupation) ..								
VOLUNTARY INSURANCE (see paras. 5 and 6 on back)— Do you desire insurance for— (a) Your wife or husband? .....								
(b) Other persons? .....								
If "Yes," enter details below:—								
Full Name	Relationship (if any)	Description of Work	Ensuing Year: Weekly Rate					
			Wage	£	s.	d.		
			Keep					
			Wage					
			Keep					
			Wage					
			Keep					
			Wage					
			Keep					
			Wage					
			Keep					
TOTALS .....			£					

IMPORTANT—Unless this insurance is applied for, such persons are not entitled to any benefits.

NOTE — Your wife or husband may be insured for benefits of Workers' Compensation Act only.

(For Office use only)

INDEX	LEDGER
ASSESSMENT NO.	

I/we hereby declare that this is a true and complete statement of the wages and salaries, keep, and other allowances (including payments for holidays) paid by me/us in the PAST YEAR ended 31st March and a full estimate of the same to be paid by me/us in the ENSUING YEAR ending 31st March next.

Signature of Employer.....  
 Date.....

[Form No. 1—Back]  
**EMPLOYERS' LIABILITY INSURANCE**

UNDER THE WORKERS' COMPENSATION ACT, 1922.

1. *Commencement Date.*—1st April,

2. *Scope of Insurance.*—The Act provides for the employer to be indemnified against his liabilities for accidents to "workers" arising under the Workers' Compensation Act, 1922, the Deaths by Accidents Compensation Act, 1908, the Coal-mines Act, 1925, the Mining Act, 1926, Parts I, II, V, and VI of the Law Reform Act, 1936, or by virtue of the common law.

3. *Compulsory Insurance.*—An employer who employs a "worker" (for definition see paragraph 4 below) in any occupation whether or not the employment is in or for the purposes of any trade or business carried on by the employer, and whether or not the employment is of a casual nature is required to insure. (N.B.—A wife of an employer or (in the case of a woman) a husband is not a "worker"—see paragraph 5 below.) Contractors and Share-farmers are required to insure their employes.

4. *Definition of "Worker."*—"Worker" includes any of the following (but not a wife or husband—see paragraph 5 below):—

- (a) Any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether remunerated by wages, salary, or otherwise; or
- (b) Share-farmer—i.e., a person who in consideration of a share in returns or profits is engaged in any class of farming operations otherwise than under a contract of service; or
- (c) Driver of vehicle plying for hire who shares in the earnings; or
- (d) Manual working contractors engaged in any of the following: gold-mining; coal-mining; cutting standing timber; scrub-cutting; clearing land of stumps or logs; or
- (e) Industrial-life-assurance agents.

NOTE.—Share-farmers and manual working contractors mentioned in (b) and (d) must be included in your Statement of Wages, but they must themselves insure any workes that they employ.

5. *Your Wife or Husband.*—A wife of an employer or (in the case of a woman) a husband is not a "worker" within the meaning of the Workers' Compensation Act, 1922, and is therefore not entitled as of right to the benefits provided by that Act. Therefore an employer is not compelled to insure in respect of his wife or her husband who may be employed by him or her. However, if the employer wishes he or she may insure his wife or her husband voluntarily (see paragraph 6 below).

6. *Voluntary Insurance of "Non-workers."*—An employer may insure "non-workers" employed by him who fall within any of the following classes:—

- (a) His wife or her husband;
- (b) Other persons who are not "workers" or who are doubtful "workers";
- (c) Persons from whom the employer is receiving the benefit of services free of charge;
- (d) Persons from whom the employer is receiving the benefit of services at less than the normal remuneration whom the employer desires to insure at a normal remuneration.

To obtain such an insurance the employer must state the name of the person to be insured (or, in the case of a person other than a wife or husband, state a sufficient description of such person) and an estimated rate of remuneration.

If the person will be paid at a normal rate, the employer must state the weekly wage and keep (and other allowances if any) which will be paid; if the person will be paid at less than the normal rate and it is desired to insure him at a normal rate, the employer must state the normal rate; if no payment will be made at all, the employer must state a rate which is reasonable, having full regard to the services to be rendered and any other circumstances.

Insured wife or husband is insured to the extent of the benefits of the Workers' Compensation Act only. Other persons are insured to the full extent of the insurance attaching to ordinary "workers."

7. *Procedure.*—(a) Every person, except those who have been exempted by the Secretary of Labour, who is an employer on 1st April is required to forward an Employer's Statement of Wages to an Authorised Insurer not later than 30th April. A person who is not an employer on 1st April but who afterwards becomes an employer is required to forward an Employer's Statement of Wages within fourteen days.

(b) As soon as possible after the receipt of the Statement of Wages the Office will forward to the employer an Assessment of Premium.

(c) The employer is required to pay the premium within one month after the date of the assessment. If he fails to do so he is liable to a penalty of an additional 5 per cent.

(d) On payment of the premium the Office will issue to the employer a Cash Receipt. The Assessment of Premium and Cash Receipt together constitute a certificate of insurance. No policy will be issued.

(e) If the happening of any event or the existence of any circumstances renders the employment of any workers more hazardous than it was at the time the employer completed the Statement of Wages, or if the employer commences to employ workers whom he had not provided for in the Statement of Wages, he must forthwith inform his Insurance Office.

(f) The insurance expires on the following 31st March, and the employer is then required to send in a further Statement of Wages not later than 30th April. The premium assessment made as at the preceding 1st April will then be adjusted in accordance with the actual expenditure of wages.

8. *Notification of Accidents.*—The employer is required to notify his Insurance Office for his district forthwith of any accident to a worker, to furnish a report of accident on the prescribed form, and to forward a medical certificate. The employer is also required to notify each accident to the Department of Labour and Employment.

T. J. SHERRARD,  
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations amend the Employers' Liability Insurance Regulations 1951 by—

- (a) Reducing the maximum rates of premiums by  $7\frac{1}{2}$  per cent for all periods commencing on or after 1 April 1953; and
- (b) Substituting a new form of Wages Statement, amended in accordance with section 19 of the Workers' Compensation Amendment Act 1952, which places members of the employer's family (other than the wife or husband) in the same position as other workers.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 June 1953.

These regulations are administered in the Department of Labour and Employment.