



COMPENSATION
FOR
PERSONAL INJURY
IN
NEW ZEALAND

REPORT OF THE
ROYAL COMMISSION OF INQUIRY

DECEMBER 1967



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THE ROYAL COMMISSION
OF INQUIRY

CHAIRMAN

The Honourable Mr JUSTICE WOODHOUSE, D.S.C.

MEMBERS

H. L. BOCKETT, Esquire, C.M.G.

G. A. PARSONS, Esquire.

SECRETARY

J. L. WRIGHT

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Royal Commission to Inquire into and Report upon Workers' Compensation

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, New Zealand, and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved the Honourable ARTHUR OWEN WOODHOUSE, D.S.C., a Judge of the Supreme Court of New Zealand; HERBERT LESLIE BOCKETT, Esquire, C.M.G., of Wellington, Retired Secretary of Labour; and GEOFFREY ARNOLD PARSONS, Esquire, of Wellington, Public Accountant: ~~trust~~

GREETING:

KNOW Ye that We, reposing trust and confidence in your integrity, knowledge, and ability, hereby nominate, constitute, and appoint you, the said

The Honourable ARTHUR OWEN WOODHOUSE,
HERBERT LESLIE BOCKETT, and
GEOFFREY ARNOLD PARSONS

to be a Commission to receive representations upon, inquire into, investigate, and report upon the law relating to compensation and claims for damages for incapacity or death arising out of accidents (including diseases) suffered by persons in employment and the medical care, retraining, and rehabilitation of persons so incapacitated, and the administration of the said law, and to recommend such changes therein as the Commission considers desirable; and, in particular, to receive representations upon, inquire into, investigate, and report on the following matters:

1. Any need for change in the law relating to claims for compensation or damages in respect of persons incapacitated or killed in employment.
2. The institution and administration of a scheme for the payment of compensation or damages, in whole or in part, by periodic payments, in respect of persons incapacitated or killed in employment.
3. The desirability of adopting, in whole or in part or with suitable modifications, any scheme or system of compensation, medical care, retraining, and rehabilitation in operation in any other country which the Commission feels justified in investigating.

4. The relationship between money payable by way of compensation or allowances or damages in respect of persons incapacitated or killed in employment and money payable pursuant to legislation concerned with social security or welfare or pensions.

5. The desirability of amending the legislation to conform with the International Labour Convention (No. 121) Concerning Benefits in the Case of Employment Injury, and the International Labour Recommendation (No. 121) Concerning Benefits in the Case of Employment Injury.

6. The provision of facilities for medical examination of persons injured or incapacitated in employment, and their treatment, re-training, and rehabilitation.

7. Any amendment that should be made in the legislation to implement any changes recommended in respect of any of the above matters.

8. Any associated matters that the Commission may deem to be relevant to the objects of the inquiry.

And We hereby appoint you, the said

The Honourable ARTHUR OWEN WOODHOUSE

to be Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry or investigation under these presents in such manner and at such times and places as you deem expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to His Excellency the Governor-General, in pursuance of these presents or by His Excellency's direction, the contents or purport of any report so made or to be made by you or any evidence or information obtained by you in exercise of the powers hereby conferred upon you except such evidence or information as is received in the course of a sitting open to the public:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one member hereby appointed so long as the Chairman, or a member deputed by the Chairman to act in his stead, and one other member are present and concur in the exercise of the powers:

And we do further ordain that you have liberty to report your proceedings and findings under this Our Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to His Excellency the Governor-General in writing under your hands not later than the 30th day of June 1967 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And, lastly, it is hereby declared that these presents are issued under the authority of the Letters Patent of His late Majesty King George the Fifth, dated the 11th day of May 1917, and under the authority of and subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand.

In witness whereof We have caused this Our Commission to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 14th day of September 1966.

Witness Our Right Trusty and Well-beloved Cousin, Sir Bernard Edward Fergusson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross in the Royal Victorian Order, Companion of the Distinguished Service Order, Officer of the Most Excellent Order of the British Empire, Brigadier on the Retired List of Her Majesty's Army, Governor-General and Commander-in-Chief in and over New Zealand; acting by and with the advice and consent of the Executive Council of New Zealand.

BERNARD FERGUSSON,
Governor-General.

By His Excellency's Command—

J. R. MARSHALL, for the Prime Minister.

Approved in Council—

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

Extending the Time Within Which the Royal Commission to Inquire into and Report Upon Workers' Compensation May Report

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, New Zealand, and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

To Our Trusty and Well-beloved the Honourable ARTHUR OWEN WOODHOUSE, D.S.C., a Judge of the Supreme Court of New Zealand; HERBERT LESLIE BOCKETT, Esquire, C.M.G., of Wellington, Retired Secretary of Labour; and GEOFFREY ARNOLD PARSONS, Esquire, of Wellington, Public Accountant:

GREETING:

WHEREAS by Our Warrant dated the 14th day of September 1966, issued under the authority of the Letters Patent of His Late Majesty King George the Fifth dated the 11th day of May 1917, and under the authority of and subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand, you were appointed to be a Commission to inquire into and report upon the matters in Our said Warrant set out being matters concerning workers' compensation:

And whereas by Our said Warrant you are required to report to His Excellency the Governor-General, not later than the 30th day of June 1967, your findings and opinions on the matters aforesaid, together with such recommendations as you might think fit to make in respect thereof:

And whereas it is expedient that the time for so reporting should be extended as hereinafter provided:

Now, therefore, We do hereby extend until the 31st day of December 1967, the time within which you are so required to report without prejudice to the continuation of the liberty conferred upon you by Our said Warrant to report your proceedings and findings from time to time if you should judge it expedient to do so:

And We do hereby confirm Our said Warrant and the Commission thereby constituted save as modified by these presents:

And it is hereby declared that these presents are issued under the authority of the said Letters Patent of His Late Majesty, and under the authority of and subject to the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council of New Zealand.

In witness whereof We have caused these presents to be issued and the Seal of New Zealand to be hereunto affixed at Wellington this 14th day of June 1967.

Witness Our Right Trusty and Well-beloved Sir Bernard Edward Fergusson, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Officer of Our Most Excellent Order of the British Empire, Brigadier on the Retired List of Our Army, Governor-General and Commander-in-Chief in and over New Zealand; acting by and with the advice and consent of the Executive Council of New Zealand.

BERNARD FERGUSSON,
Governor-General.

By His Excellency's Command—

KEITH HOLYOAKE, Prime Minister.

Approved in Council—

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

Letter of Transmittal

To HIS EXCELLENCY SIR ARTHUR ESPIE PORRITT, Baronet, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Commander of the Most Excellent Order of the British Empire, Governor-General and Commander-in-Chief in and over New Zealand.

May it please YOUR EXCELLENCY

Your Excellency's predecessor by Warrant dated 14 September 1966 appointed us the undersigned ARTHUR OWEN WOODHOUSE, HERBERT LESLIE BOCKETT, and GEOFFREY ARNOLD PARSONS, to report under the terms of reference stated in that Warrant.

We were originally required to present our report by 30 June 1967, but this date was extended to 31 December 1967.

We now humbly submit our report for Your Excellency's consideration.

We have the honour to be

Your Excellency's most obedient Servants,

A. O. WOODHOUSE, Chairman.

H. L. BOCKETT, Member

G. A. PARSONS, Member

Dated at Wellington this 13th day of December 1967.

