

**92A. Dutiable statement required if policy issued outside Western Australia**

(1) Every person resident in Western Australia who effects any insurance in respect of —

- (a) property in Western Australia; or
- (b) any liability, loss or damage occurring or brought about by the happening of any event within Western Australia,

for which insurance a policy of insurance is or is to be issued or renewed outside Western Australia shall within one month after effecting the insurance lodge with the Commissioner a statement in respect of the insurance.

Penalty: \$20 000.

(2) A dutiable statement is to be prepared in an approved form.

(3) A dutiable statement lodged under subsection (1) is taken to be a policy of insurance in respect of the insurance to which it relates and is chargeable with duty accordingly.

(4) The duty payable on a dutiable statement lodged under subsection (1) is payable —

- (a) by the person who effected the insurance; and
- (b) within one month after the insurance was effected.

(5) Subsections (1) to (4) do not apply if, before a dutiable statement lodged under subsection (1) is stamped, a policy of insurance for the insurance referred to in subsection (1) is stamped.

(6) A person resident in Western Australia must not accept payment of, or agree to have allowed on account, any money on or in respect of any insurance the policy for which is or is to be issued or renewed outside Western Australia unless the policy, or a dutiable statement in respect of the insurance, has been stamped.

Penalty: \$20 000.

*[Section 92A inserted by No. 2 of 2003 s. 112; amended by No. 66 of 2003 s. 81.]*