

Western Australia

**Insurance Commission of Western Australia
Amendment Act 2002**

As at 20 Nov 2002

No. 34 of 2002

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Insurance Commission of Western Australia Amendment Act 2002

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Western Australia

Insurance Commission of Western Australia Amendment Act 2002

No. 34 of 2002

An Act to amend the *Insurance Commission of Western Australia Act 1986*.

[Assented to 20 November 2002]

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Insurance Commission of Western Australia Amendment Act 2002*.

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. The Act amended

The amendments in this Act are to the *Insurance Commission of Western Australia Act 1986**.

[* Reprinted as at 12 November 1999.]

4. Section 3 amended

Section 3 is amended by inserting the following definitions in their appropriate alphabetical positions —

“

“**community organisation**” means —

- (a) an association incorporated under the *Associations Incorporation Act 1987*;
- (b) a company limited by guarantee that is registered under section 150 of the *Corporations Act 2001* of the Commonwealth; or
- (c) a company holding a licence that continues in force under section 151 of the *Corporations Act 2001* of the Commonwealth;

“**eligible community organisation**” has the meaning given in section 3A;

”.

5. Section 3A inserted

After section 3 the following section is inserted in Part 1 —

“

3A. Eligible community organisations

- (1) A community organisation is an eligible community organisation for the purposes of this Act if the Treasurer has made a determination under subsection (2) in respect of the organisation or a class of organisations of which it is a member.
- (2) The Treasurer may determine that an organisation, or all organisations of a particular class, is or are eligible to participate in an arrangement managed and administered by the Commission for the insurance and risk management of eligible community organisations.

”.

6. Section 6 amended

- (1) After section 6(c) the following paragraph is inserted —

“

- (ca) to manage and administer insurance and risk management arrangements on behalf of eligible community organisations;

”.

- (2) Section 6(e) is amended by deleting “paragraphs (a) and (b)” and inserting instead —

“

paragraph (a) or (b) or manage and administer arrangements under paragraph (c) or (ca)

”.

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7. Section 7 amended

Section 7(4) is amended as follows:

- (a) by inserting after “6(c)” —
“ or (ca) ”;
- (b) in paragraph (a) by inserting after “authorities” —
“ or eligible community organisations ”;
- (c) in paragraph (b) by inserting after “authorities” —
“ or eligible community organisations ”.

8. Section 16 amended

- (1) After section 16(1) the following subsection is inserted —

“

- (1a) The Commission may establish, maintain and administer a fund for the purposes of an arrangement managed and administered by the Commission for the insurance and risk management of eligible community organisations.

”.

- (2) After section 16(5) the following subsection is inserted —

“

- (5a) A fund established under subsection (1a) shall consist of —
- (a) moneys appropriated for, or derived from or in connection with, the Commission’s functions under section 6(ca), other than moneys that are the subject of a trust of which the Commission is a trustee under section 7(4)(c);
 - (b) other property received or acquired by the Commission in connection with the Commission’s functions under section 6(ca);
and

- (c) moneys or other property credited, apportioned or transferred to the fund by the Commission under section 17 or 18.

”.

9. Section 18 amended

Section 18(2) is amended by deleting “or the Insurance Commission General Fund” and inserting instead —

“

, the Insurance Commission General Fund or a fund established under section 16(1a)

”.

10. Transition and savings

The functions conferred on the Insurance Commission of Western Australia by section 6(ca) and (e) of the *Insurance Commission of Western Australia Act 1986* as amended by this Act are taken always to have been functions of the Commission.

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