

WESTERN AUSTRALIA.

**WORKERS' COMPENSATION SUPPLEMENTATION
FUND ACT 1980.**

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WORKERS' COMPENSATION SUPPLEMENTATION FUND.

No. 80 of 1980.

AN ACT to establish the Workers' Compensation Supplementation Fund for the payment of certain workers' compensation claims and for purposes incidental thereto or connected therewith.

[Assented to 5 December 1980.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.—PRELIMINARY.

1. This Act may be cited as the *Workers' Compensation Supplementation Fund Act 1980*. Short title.

2. This Act shall come into operation on a date to be fixed by proclamation. Commencement.

Interpre-
tation.

3. In this Act, unless the contrary intention appears—

“appointed date” means date on which this Act comes into operation;

“Board” means Workers' Compensation Board constituted under section 25 of the Compensation Act;

“Chairman” means member elected under section 29 to be the Chairman of the Committee;

“Committee” means Insurers Advisory Committee established by section 27 (1);

“Compensation Act” means Workers' Compensation Act 1912;

“employer” has the same meaning as in the Compensation Act;

“employer's policy” means policy of insurance obtained by an employer under section 13 of the Compensation Act;

“Fund” means Workers' Compensation Supplementation Fund established under section 5 (1);

“insurer” means incorporated insurance office approved under section 13 of the Compensation Act;

“liquidator”, in relation to an insurer, includes official manager, receiver or receiver and manager;

“member” means member of the Committee;

“paragraph” means paragraph of the section or subsection in which the term appears;

“Part” means Part of this Act;

“section” means section of this Act;

“self-insurer” means employer whom the Governor exempts from the operation of section 13 of the Compensation Act under the proviso to subsection (1) of that section;

“SGIO” means State Government Insurance Office established by section 3 of the State Government Insurance Office Act 1938;

“subparagraph” means subparagraph of the paragraph in which the term appears;

“subsection” means subsection of the section in which the term appears;

“the appropriate surcharge” has the meaning given by section 14;

“Treasurer” means Treasurer of the State.

4. This Act does not apply to or in relation to an employer insured by the SGIO under section 13 (5) (a) of the Compensation Act for the liability of that employer to pay compensation under the Compensation Act to all workers employed by that employer in any mining operation carried on in any portion of the State.

Act not to
apply to
mining
employers.

PART II.—WORKERS' COMPENSATION SUPPLEMENTATION FUND.

5. (1) The Board shall establish and keep in an account at the Treasury a fund to be known as the Workers' Compensation Supplementation Fund.

Establish-
ment and
constitution
of Workers'
Compensa-
tion Supple-
mentation
Fund.

(2) The Fund shall consist of—

(a) moneys received by the Board under Part IV or Part VII;

(b) income derived from the investment under section 6 of moneys standing to the credit of the Fund;

- (c) moneys recovered by or on behalf of the Board under this Act;
- (d) moneys advanced to the Fund; and
- (e) such moneys, other than moneys referred to in paragraphs (a), (b), (c) and (d), as are lawfully paid into the Fund.

Investment
of moneys
of Fund.

6. The Treasurer—

- (a) may temporarily invest in any securities in which money represented in the Public Account may lawfully be invested any moneys standing to the credit of the Fund until those moneys are required for the purposes of this Act; and
- (b) shall pay to the credit of the Fund all interest derived from investments made under this section.

Treasurer or
SGIO may
make
advances to
Fund in
event of
insufficiency
of moneys.

7. (1) If the Treasurer considers that the moneys standing to the credit of the Fund are at any time insufficient for the purposes of this Act—

- (a) the Treasurer may make advances to the Board for payment into the Fund out of moneys appropriated by Parliament for the purpose; or
- (b) the SGIO may, at the request of the Treasurer, advance to the Board for payment into the Fund from the funds referred to in section 7 (5) of the State Government Insurance Office Act 1938,

moneys sufficient for the time being to make up that insufficiency.

(2) Interest shall be payable on an advance made under subsection (1) at such rate and at such times as the Treasurer determines.

(3) As and when there are sufficient moneys standing to the credit of the Fund (in this section called "the moneys available") to enable moneys advanced under subsection (1) (in this subsection called "the moneys advanced") to be repaid, the Board shall from the moneys available repay the moneys advanced, together with interest referred to in subsection (2)—

- (a) in the case of moneys so advanced by the Treasurer, to the Treasurer; or
- (b) in the case of moneys so advanced by the SGIO, to the SGIO and the SGIO shall pay the moneys so repaid, together with that interest, into the funds referred to in section 7 (5) of the State Government Insurance Office Act 1938.

(4) Moneys advanced by the Treasurer or the SGIO under subsection (1), together with interest thereon referred to in subsection (2), are, so long as those moneys and that interest remain unrepaid under subsection (3), a charge on the Fund.

8. The Board shall—

Accounts of
Fund.

- (a) cause to be kept in relation to the Fund proper books of account and records of the transactions and affairs of the Fund in accordance with generally accepted accounting principles; and
- (b) do all things necessary to ensure that all payments out of the Fund are correctly made and properly authorized and that adequate control is maintained over the assets of the Fund and over the incurring of liabilities under this Act by the Board.

9. (1) The Board shall for each financial year cause a true and full balance sheet of the assets and liabilities of the Fund, together with a revenue statement and such other statements as may be

Audit of
accounts of
Fund.

necessary, in such forms as the Treasurer approves, to be compiled from the books of account and records referred to in section 8 and submitted to the Auditor General for audit.

(2) The Auditor General shall, as soon as may be after the submission to him of the balance sheet, revenue statement and any other statements referred to in subsection (1), certify whether or not—

- (a) he has found the books of account and records referred to in section 8 to be in order; and
- (b) in his opinion, that balance sheet and revenue statement and those other statements, if any, are properly drawn up in accordance with generally accepted accounting principles so as to present a true and fair view of the transactions and affairs of the Fund for the financial year concerned and of the financial position of the Fund at the end of that financial year as shown by the books of account and records referred to in section 8.

(3) The Auditor General has, for the purposes of this section, all the powers conferred on him by the Audit Act 1904.

(4) In this section—

“financial year” means year ending on 30 June.

Payments
out of
Fund.

10. The Board may pay out of the Fund—

- (a) any amounts required by this Act to be paid in settlement of any claim made under this Act;
- (b) the amount of any costs or fees payable under this Act to the liquidator of an insurer and such other costs and expenses as are incurred by the SGIO in the settlement of claims made under this Act;
- (c) any amount required to be paid by way of repayment under section 7;

- (d) any amount payable under section 18;
- (e) any amounts required to be paid by way of reimbursement under section 25;
- (f) any amount required to be paid by way of reimbursement under section 30; and
- (g) the amount of any costs and expenses incurred in, or in connection with, the administration of the Fund.

PART III.—ADMINISTRATION OF FUND.

11. The Board shall have the direction, control and management of the Fund. Board to administer Fund.

12. When a document purporting to bear the common seal of the Board and the signatures of the members of the Board is produced before any court, judge or person acting judicially, that court, judge or person shall, unless the contrary is proved, presume that— Evidence.

- (a) that document bears that common seal and those signatures; and
- (b) that seal was duly affixed to, and those signatures were duly inscribed on, that document.

13. The Board has power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions under this Act and, in particular, without limiting the generality of the foregoing— Powers of Board.

- (a) to take any action necessary to recover moneys payable into the Fund and such debts as may be owing to the Fund;
- (b) to incur any necessary legal and other costs in actions arising from the operation of the Fund; and
- (c) to refund any moneys that are refundable under this Act.

PART IV.—SURCHARGES ON EMPLOYERS' POLICIES.

Employers
to pay
surcharge
to insurers.

14. (1) An employer who obtains from an insurer an employer's policy on or after the appointed date shall pay to the insurer the appropriate surcharge in respect of the employer's policy.

(2) An employer who has obtained from an insurer an employer's policy before the appointed date, which employer's policy is in force on the appointed date, shall pay to the insurer an amount that is a proportion, calculated in accordance with subsection (5), of the appropriate surcharge in respect of that employer's policy.

(3) For the purposes of this section and of section 17, the appropriate surcharge in relation to an employer's policy is an amount equal to one per cent of the amount of the premium payable in respect of the employer's policy—

(a) in the case of an employer's policy referred to in subsection (1), at the rate in force on the date specified in that employer's policy as the date on which insurance cover under that employer's policy begins; or

(b) in the case of an employer's policy referred to in subsection (2), at the rate in force on the appointed date.

(4) An employer referred to in subsection (1) shall pay the appropriate surcharge—

(a) if that employer pays any moneys to an insurer by way of premium in respect of an employer's policy before the date on which insurance cover under the employer's policy begins or the employer's policy is renewable, on the date on which those moneys are paid;

(b) if that employer pays any additional moneys to an insurer by way of premium, which payment is made as a result of an adjustment of premium, on the date on which those moneys are paid; or

- (c) in any case other than the cases referred to in paragraphs (a) and (b), on the date on which insurance cover under the employer's policy concerned begins or that employer's policy is renewable.

(5) The proportion of the appropriate surcharge payable by an employer referred to in subsection (2) shall be calculated in accordance with the formula $\frac{A}{365}$, in which A is the number of days in the period commencing on the appointed date and ending on the date on which the employer's policy concerned expires.

(6) An employer referred to in subsection (2) shall pay the appropriate surcharge not later than the date on which premiums in respect of the employer's policy concerned are adjusted by the insurer concerned.

15. (1) An insurer shall, within 21 days after the end of each month—

Payment of
amounts by
insurers.

- (a) pay to the Board all amounts received by the insurer under section 14 during that month; and
- (b) forward to the Board a statement in writing—
- (i) setting out the amounts received by the insurer by way of premiums in respect of employers' policies during that month and such other particulars, if any, as are prescribed; and
 - (ii) verified by a statutory declaration made by an officer of the insurer authorized in writing by the insurer for the purpose of this subparagraph.

(2) A member of the staff of the Board authorized in writing by the Chairman of the Board for the purpose of this section—

(a) may at any reasonable hour of the day enter the premises of an insurer and inspect any books or documents of the insurer relating to—

(i) any amounts received by the insurer under section 14; or

(ii) any statement forwarded to the Board by the insurer under subsection (1);

but

(b) is not authorized by this subsection to remain on any premises, or to inspect any book or documents, referred to in paragraph (a) if, on being requested by the person in charge of those premises to produce evidence in writing of his authority, he does not produce that evidence.

(3) A person shall not obstruct, threaten or intimidate a member of the staff of the Board authorized under subsection (2) in the exercise of the powers conferred on him by that subsection.

Penalty: \$500.

Self-insurers
to pay
surcharge.

16. (1) A self-insurer shall pay to the Board—

(a) in the case of an employer who becomes a self-insurer before or on the appointed date, within one month from the appointed date;

or

(b) in the case of an employer who becomes a self-insurer after the appointed date, within one month after he becomes a self-insurer,

and thereafter once in each succeeding period of 12 months an amount assessed by the Board on the advice of the Committee.

(2) The amount assessed by the Board under subsection (1) shall be an amount equal to the amount of the surcharge that would have been payable by the self-insurer under this Act in relation to an employer's policy had he been an employer who was not a self-insurer.

17. (1) Notwithstanding anything in this Act, if an employer's policy—

Payments by employers and self-insurers to cease on expiry of period to be fixed.

- (a) which was obtained during the surcharge period expires after the expiry of the surcharge period, the employer who obtained that employer's policy from an insurer shall pay to the insurer an amount that is a proportion, calculated in accordance with subsection (2), of the appropriate surcharge; or
- (b) is obtained at any time after the expiry of the surcharge period, the employer who obtained that employer's policy from an insurer is not required to pay to the insurer the appropriate surcharge or any part thereof,

in respect of that employer's policy.

(2) The proportion of the appropriate surcharge payable by an employer to whom subsection (1)

(a) applies shall be calculated in accordance with the formula $\frac{B}{365}$, in which B is the number of days in the period commencing on the date on which the employer's policy concerned was obtained and ending on the date on which the surcharge period expires.

(3) Notwithstanding anything in this Act, a self-insurer—

- (a) shall, in respect of a period of 12 months which commenced during the surcharge period but which expires after the expiry of the surcharge period, pay to the Board

an amount that is a proportion, calculated in accordance with subsection (4), of the appropriate amount assessed under section 16; or

- (b) is not required in respect of a period of 12 months which commences after the expiry of the surcharge period, to pay to the Board the appropriate amount assessed under section 16 or any part thereof.

(4) The proportion of the appropriate amount payable by a self-insurer to whom subsection (3) (a) applies shall be calculated in accordance with the formula $\frac{C}{365}$, in which C is the number of days in the period commencing on the date on which the period of 12 months referred to in that paragraph commenced and ending on the date on which the surcharge period expires.

(5) The Governor may by Order in Council published in the *Gazette* fix an expiry date for the purpose of the definition of "the surcharge period" in subsection (6).

(6) In this section—

"the surcharge period" means the period—

- (a) commencing on the appointed date;
and
(b) expiring on the expiry date fixed under subsection (5).

Refunds.

18. (1) If an employer is entitled to receive from an insurer a refund of an amount paid by way of premium in respect of an employer's policy, the insurer shall, in addition to any amount paid to the employer by way of refund of premium, pay to the employer by way of refund of the surcharge paid by the employer under section 14 an amount that represents a proportionate part of that surcharge.

(2) When an insurer pays an amount by way of refund of surcharge under subsection (1), the Board shall, on application by the insurer, pay to the insurer out of the Fund an amount equal to the amount so paid by the insurer.

(3) If the Board finds that there has been an overpayment into the Fund of an amount payable to the Board under this Act, the Board shall pay out of the Fund to the person who made that overpayment a refund of the amount by which the amount so payable was overpaid into the Fund.

PART V.—PAYMENT OF CLAIMS.

19. (1) If, before, on or after the appointed date—

Claims
against SGIO
and insurers.

- (a) a final judgment has been given, or an order or award has been made, against an employer in respect of his liability under the Compensation Act for an injury to, or the death of, a worker employed by the employer;
- (b) the liability of the employer under the judgment, order or award referred to in paragraph (a) is covered by an employer's policy; and
- (c) the insurer who issued the employer's policy referred to in paragraph (b) is dissolved under a law of—
 - (i) the State; or
 - (ii) another State, or a Territory, of the Commonwealth,
 or is unable to provide the indemnity required by that employer's policy to be provided,

the person in whose favour the judgment, order or award referred to in paragraph (a) was given or made, as the case requires, may make a claim—

- (d) if the insurer referred to in paragraph (c) is dissolved, against the SGIO; or

- (e) if the insurer referred to in paragraph (c) is not dissolved, against the insurer,

for payment of the amount of that judgment, order or award.

(2) If, before, on or after the appointed date—

- (a) a person is entitled to make a claim against an employer, not being a claim relating to a judgment, order or award referred to in subsection (1), that the employer is liable to pay compensation under the Compensation Act for an injury to, or the death of, a worker employed by the employer;
- (b) the liability of the employer referred to in paragraph (a) to pay the compensation referred to in that paragraph is covered by an employer's policy; and
- (c) the insurer who issued the employer's policy referred to in paragraph (b) is dissolved under a law of—
 - (i) the State; or
 - (ii) another State, or a Territory, of the Commonwealth,

or is unable to provide the indemnity required by that employer's policy to be provided,

the person referred to in paragraph (a) may make a claim—

- (d) if the insurer referred to in paragraph (c) is dissolved, against the SGIO; or
- (e) if the insurer referred to in paragraph (c) is not dissolved, against that insurer,

for payment of the amount of compensation referred to in paragraph (a).

(3) A person making a claim under subsection (1) or (2) against the SGIO shall—

- (a) do so in writing; and

- (b) lodge the claim with the SGIO, together with a copy of any judgment, order or award to which the claim relates.
- (4) A person making a claim under subsection (1) or (2) against an insurer shall—
- (a) do so in writing; and
 - (b) lodge the claim with the liquidator of the insurer, together with a copy of any judgment, order or award to which the claim relates.
- (5) In subsection (2)—
- “compensation” includes—
- (a) an amount in settlement of a claim for compensation; and
 - (b) an amount payable under proviso (c) to clause 1 (c) of the First Schedule to the Compensation Act.

20. If a claim against an insurer is lodged with the liquidator of an insurer under section 19 (4), that liquidator shall forthwith—

Liquidators of insurers to forward claims to SGIO.

- (a) forward a copy of that claim to the SGIO; and
- (b) furnish the SGIO with such information and documents, including any judgment, order or award, relating to that claim and to the employer's policy concerned as are in the possession of that liquidator.

21. (1) Subject to this section, if the SGIO receives from the liquidator of an insurer a claim made against the insurer under section 19 (1), the SGIO shall—

Payment of claims against insurers.

- (a) pay to that liquidator—
 - (i) such amount as is necessary to enable that liquidator to satisfy that claim; and

- (ii) such amount additional to the amount referred to in subparagraph (i) as is agreed between the SGIO and that liquidator for payment of the costs of that liquidator in satisfying that claim;

and

- (b) furnish to that liquidator all documents in the possession of the SGIO relating to that claim.

(2) On receipt of an amount referred to in subsection (1) (a) (i) paid by the SGIO under subsection (1), the liquidator referred to in that subsection shall pay that amount to the claimant in satisfaction of the claim referred to in that subsection.

(3) If the SGIO receives from the liquidator of an insurer a claim made against the insurer under section 19 (1) and the insurer is dissolved under a law of—

(a) the State; or

(b) another State, or a Territory, of the Commonwealth,

before the SGIO makes a payment under subsection (1) to that liquidator, the SGIO shall pay to the claimant such amount as is necessary to satisfy that claim.

Payment of
claims
against
SGIO.

22. If a claim made under subsection (1) or (2) of section 19 against the SGIO is lodged with the SGIO under section 19 (3), the SGIO shall pay to the claimant such amount as is necessary to satisfy that claim.

Liquidators
to account
to SGIO.

23. A liquidator who receives any amounts paid to him under section 21 shall, within 14 days after the expiry of the period of 3 months from the date on which he received the first of those amounts and

thereafter within 14 days after the expiry of each subsequent period of 3 months, forward to the SGIO a statement in writing—

- (a) setting out the amounts so paid to him and all payments made by him of those amounts under this Act during that period of 3 months; and
- (b) certified as correct by an auditor who is a registered company auditor within the meaning of the Companies Act 1961.

24. When an amount is paid to a claimant under this Act in settlement of a claim thereunder, that payment operates to discharge the liability of the SGIO.

Effect of
payment of
claims.

25. (1) The SGIO shall, within 14 days of the end of each month, submit to the Board a return setting out all payments made, and expenses incurred, by the SGIO under this Act during that month.

SGIO to be
reimbursed
out of Fund.

(2) The Board shall, within 7 days of receiving a return submitted to it under subsection (1), reimburse the SGIO out of the Fund in respect of all payments and expenses set out in that return.

26. When a document purporting to bear the official seal of the SGIO is produced before any court, judge or person acting judicially, that court, judge or person shall, unless the contrary is proved, presume that—

Official seal
of SGIO.

- (a) that document bears that official seal; and
- (b) that official seal was duly affixed to that document.

PART VI.—INSURERS ADVISORY COMMITTEE.

Insurers
Advisory
Committee.

27. (1) There is hereby established a committee to be known as the Insurers Advisory Committee.

(2) The function of the Committee is to advise the Board and the SGIO, as required by this Act or at the request of the Board or the SGIO, as the case requires, in the performance of its functions or the exercise of its powers under this Act.

Members of
Committee.

28. (1) The Committee shall consist of 3 members appointed under subsection (2).

(2) Each member shall—

(a) be appointed by the Minister from a panel of not less than 3 names submitted by the insurers or a majority of them;

(b) subject to this Act, hold office for such period not exceeding 3 years as is specified in the instrument of his appointment; and

(c) be eligible for reappointment.

(3) When a vacancy occurs in the membership of the Committee as a result of a member ceasing to hold office at any time before the expiry of the period of his appointment, the Minister may appoint as a member for the unexpired portion of that period a person from a panel of not less than 3 names submitted by the insurers or a majority of them.

Chairman.

29. (1) The members shall from time to time as occasion requires elect one of their number to be the Chairman of the Committee.

(2) Subject to subsection (4), the Chairman holds office for a period of one year from the date of his election under subsection (1), unless he sooner ceases to be a member, and is eligible for re-election.

(3) The Chairman shall, when he is elected under subsection (1), notify the Minister in writing of his election as Chairman.

(4) The Chairman may resign his office of Chairman by writing under his hand delivered to the Minister.

30. (1) Subject to this section, a member is not entitled to be paid in respect of duties or functions performed by him under this Act. Remuneration.

(2) A member is entitled to reimbursement out of the Fund for any expenses reasonably incurred by him in the performance of his duties or functions under this Act.

31. (1) The Minister may at any time remove a member from office for misbehaviour or physical or mental incapacity. Removal of member from office.

(2) The Minister shall remove a member from office if—

- (a) the member becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- (b) the member is convicted in Australia of an offence punishable by imprisonment for not less than one year;
- (c) the member is absent, without leave of absence granted under section 33, from 3 consecutive meetings of the Committee of which he has had prior notice; or
- (d) he is requested to do so by a majority of insurers present at a meeting of insurers convened by the SGIO.

32. (1) The Chairman shall, subject to subsection (2), convene each meeting of the Committee. Meetings.

(2) The Minister may, by notice in writing given to each member, direct that a meeting of the Committee be held at the time and place specified in that notice.

(3) The Chairman shall preside at all meetings of the Committee and has a deliberative vote only thereat.

(4) At a meeting of the Committee, a quorum is constituted by the Chairman and one other member.

(5) Questions arising at a meeting of the Committee shall be determined by a majority of the votes of the members present and voting.

(6) Subject to this Act, the procedure of the Committee shall be as the Committee determines.

Leave of
absence.

33. (1) The Minister may grant leave of absence to the Chairman on such conditions as the Minister determines.

(2) The Chairman may grant leave of absence to another member for such period, not exceeding one year, and on such conditions as the Chairman determines.

Vacancy in
membership.

34. Subject to section 32 (4), the performance of the functions of the Committee is not affected by reason only of there being a vacancy in the membership of the Committee.

PART VII.—MISCELLANEOUS.

Powers of
liquidators
of insurers.

35. The liquidator of an insurer may exercise his powers under section 236 of the Companies Act 1961 with respect to any claim, judgment, order or award arising out of or in relation to an employer's policy issued by the insurer as if—

- (a) the reference in that section to the authority of the Court or of the committee of inspection were a reference to the authority of the SGIO; and

- (b) the words "subject to the provisions of section two hundred and ninety-two" were omitted from subsection (1) (b) of that section.

36. (1) If—

- (a) an insurer is, under a contract of reinsurance, insured against liability in respect of employers' policies issued by the insurer and that liability is incurred by the insurer;
- (b) any part of the liability of the insurer referred to in paragraph (a) is met by moneys paid by the SGIO under this Act; and
- (c) an amount in respect of that part of the liability of the insurer referred to in paragraph (b) is received by the liquidator of that insurer from the reinsurer concerned,

Payment
into Fund of
moneys
recovered by
liquidators.

the liquidator of the insurer referred to in paragraph (a) shall pay the amount so received from the reinsurer, after the deduction of any expenses of or incidental to getting in that amount, to the Board, in priority to all payments in respect of the debts referred to in section 292 (1) of the Companies Act 1961, for payment into the Fund.

(2) If the liquidator of an insurer recovers any amount due to the insurer as a consequence of the payment, with moneys paid out of the Fund, of any part of a claim, judgment, order or award arising out of or in relation to an employer's policy issued by the insurer, that liquidator shall pay the amount so recovered, after the deduction of any expenses of or incidental to the recovery of that amount, to the Board, in priority to all payments in respect of debts referred to in section 292 (1) of the Companies Act 1961, for payment into the Fund.

(3) This section has effect notwithstanding any agreement to the contrary, whether made before, on or after the appointed date.

Rights of
Board
against
insurers.

37. If—

- (a) an insurer is unable to provide to an employer the indemnity required to be provided by an employer's policy issued by the insurer;
- (b) any part of the liability of the employer referred to in paragraph (a) is met by moneys paid out of the Fund under this Act; and
- (c) the moneys referred to in paragraph (b), or part thereof, are or is not paid to the Board under section 36,

the Board has the same rights against the insurer referred to in paragraph (a) as the employer referred to in that paragraph to the extent that the moneys referred to in paragraph (b), or part thereof, are or is not paid to the Board under section 36.

Liquidators
to notify
SGIO of
dissolution
of insurers.

38. If the liquidator of an insurer applies to a court under a law of—

- (a) the State; or
- (b) another State, or a Territory, of the Commonwealth,

for an order that the insurer be dissolved, that liquidator shall notify the SGIO in writing of the making of that application and shall serve on the SGIO a copy of any order made by the court on that application.

Protection
of members
of Board,
SGIO and
members of
Committee.

39. An action or proceeding, civil or criminal, does not lie against a member of the Board or of the Committee or against the SGIO for or in respect of any act or thing done in good faith under or purportedly under this Act by that member or by the SGIO.

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*Workers' Compensation
Supplementation Fund.*

[No. 80.

40. The Governor may make regulations ^{Regulations.} prescribing all matters that are required or permitted by this Act to be prescribed, or are necessary or convenient to be prescribed, for giving effect to the purposes of this Act.
