



Western Australia

## **Employers Indemnity Policies (Premium Rates) Act 1990**

Compare between:

[04 Jan 2005, 01-b0-05] and [28 Jun 2010, 01-c0-01]



## **Employers Indemnity Policies (Premium Rates) Act 1990**

**An Act to provide for the determination of recommended premium rates for certain employer indemnity policies and for related purposes.**

**1. Short title**

This Act may be cited as the *Employers Indemnity Policies (Premium Rates) Act 1990*<sup>1</sup>.

**2. Commencement**

This Act shall come into operation on the day on which it receives the Royal Assent<sup>1</sup>.

**3. Interpretation**

In this Act, unless the contrary intention appears —

***employer indemnity policy*** means a policy of insurance that gives to an employer, in addition to the insurance required by the *Workers' Compensation and Injury Management Act 1981*, such insurance against liability arising under the *Fatal Accidents Act 1959*, the *Law Reform (Miscellaneous Provisions) Act 1941*, the *Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947*, or at common law for personal injury sustained by a person employed by the employer under a contract of service or apprenticeship as may be specified in the policy;

***employer*** means a person required by the *Workers' Compensation and Injury Management Act 1981* to obtain and

**s. 4**

---

keep current a policy of insurance for liability to pay compensation under that Act;

expressions used in the *Workers' Compensation and Injury Management Act 1981* have the same respective meanings as they have in that Act.

*[Section 3 amended by No. 42 of 2004 s. 174.]*

**4. Premium rates for composite policies may be determined**

- (1) WorkCover WA may determine recommended premium rates for employer indemnity policies that give such insurance, additional to the insurance required by the *Workers' Compensation and Injury Management Act 1981*, as is described in the determination.
- (2) Different premium rates may be determined under subsection (1) according to the different categories or groups of businesses referred to in section 151 of the *Workers' Compensation and Injury Management Act 1981*.

*[Section 4 amended by No. 42 of 2004 s. 158(1 and 174).]*

**5. Information**

Information required by WorkCover WA for the purposes of this Act may be obtained under the *Workers' Compensation and Injury Management Act 1981* as if it were required for the purposes of that Act, and information that may be used for the purposes of that Act may be used for the purposes of this Act.

*[Section 5 amended by No. 42 of 2004 s. 158(2) and 174.]*

**6. Savings**

Nothing in this Act shall be construed as affecting the provisions of the *Workers' Compensation and Injury Management Act 1981* relating to premium rates for insurance required by that Act.

*[Section 6 amended by No. 42 of 2004 s. 174.]*

### Notes

<sup>1</sup> This is a compilation of the *Employers Indemnity Policies (Premium Rates) Act 1990*. ~~The~~ and includes the amendments made by the other written laws referred to in the following table <sup>1a</sup>. The table also contains information about ~~that Act and~~ any reprint.

### Compilation table

Short title	Number and year	Assent	Commencement
<i>Employers Indemnity Policies (Premium Rates) Act 1990</i>	69 of 1990	17 Dec 1990	17 Dec 1990 (see s. 2)
<b>Reprint of the <i>Employers Indemnity Policies (Premium Rates) Act 1990</i> as at 4 Oct 2002</b>			
<i>Workers' Compensation Reform Act 2004</i> s. 158 and 174	42 of 2004	9 Nov 2004	4 Jan 2005 (see s. 2 and <i>Gazette</i> 31 Dec 2004 p. 7131)

<sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

### Provisions that have not come into operation

<u>Short title</u>	<u>Number and year</u>	<u>Assent</u>	<u>Commencement</u>
<u><i>Standardisation of Formatting Act 2010</i> s. 51<sup>2</sup></u>	<u>19 of 2010</u>	<u>28 Jun 2010</u>	<u>To be proclaimed (see s. 2(b))</u>

<sup>2</sup> On the date as at which this compilation was prepared, the *Standardisation of Formatting Act 2010* s. 51 had not come into operation. It reads as follows:

**51. Various written laws amended**

- (1) This section amends the written laws listed in the Table.
- (2) Amend the provisions listed in the Table as set out in the Table.

<b><u>19. Employers Indemnity Policies (Premium Rates) Act 1990</u></b>		
<u>s. 3</u>	<u>In this Act, under that Act; expressions</u>	<u>(1) In this Act, under that Act. (2) In this Act, unless the contrary intention appears, expressions</u>