



Western Australia

Employers Indemnity Policies (Premium Rates) Act 1990

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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*.

2. Commencement

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

3. Interpretation

- (1) 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.

- (2) In this Act, unless the contrary intention appears, 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: No. 42 of 2004 s. 174; No. 19 of 2010 s. 51.]

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: 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: 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: No. 42 of 2004 s. 174.]

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Notes

This is a compilation of the *Employers Indemnity Policies (Premium Rates) Act 1990* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

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) |
| Reprint of the <i>Employers Indemnity Policies (Premium Rates) Act 1990</i> as at 4 Oct 2002 | | | |
| <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) |
| <i>Standardisation of Formatting Act 2010</i> s. 51 | 19 of 2010 | 28 Jun 2010 | 11 Sep 2010 (see s. 2(b) and <i>Gazette</i> 10 Sep 2010 p. 4341) |

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

| Short title | Number and year | Assent | Commencement |
|---|-----------------|-------------|---|
| <i>Workers Compensation and Injury Management Act 2023</i> s. 617 | 21 of 2023 | 24 Oct 2023 | 1 Jul 2024 (see s. 2(d) and SL 2024/34 cl. 2) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

| Defined term | Provision(s) |
|---------------------------------|--------------|
| employer | 3(1) |
| employer indemnity policy | 3(1) |

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