

Western Australia

**Employers' Indemnity Supplementation Fund
Amendment Act 2001**

As at 07 Jun 2001

No. 2 of 2001

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Employers' Indemnity Supplementation Fund Amendment Act 2001

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Employers' Indemnity Supplementation Fund Amendment Act 2001

No. 2 of 2001

An Act to amend the *Employers' Indemnity Supplementation Fund Act 1980*.

[Assented to 7 June 2001]

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Employers' Indemnity Supplementation Fund Amendment Act 2001*.

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 *Employers' Indemnity Supplementation Fund Act 1980**.

[* *Reprinted as at 7 December 1994.*

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p. 134-5.]

4. Section 3 amended

Section 3 is amended as follows:

- (a) by deleting the definition of "appointed date";
- (b) by inserting after the definition of "self-insurer" the following definition —

“

“**surcharge period**” means a period the commencement and expiry times of which are prescribed by the regulations;

”;

- (c) in the definition of “the appropriate surcharge” by deleting “section 14” and inserting instead —
“ section 14(2) ”.

5. Section 14 amended

- (1) Section 14(1) is amended by deleting “who obtains from an insurer an employer’s policy on or after the appointed date” and inserting instead —

“

who, during a surcharge period, obtains from an insurer an employer’s policy providing any cover for liability of the employer arising during the surcharge period

”.

- (2) Section 14(2) and (3) are repealed and the following subsections are inserted instead —

“

(2) The appropriate surcharge is an amount equal to the prescribed percentage, at the time the policy was obtained, of the amount of any premium payable under the policy in respect of cover for liability of the employer arising during a surcharge period.

(3) The percentage prescribed for the purposes of subsection (2) cannot exceed 5% and after 30 June 2006 cannot exceed 1%.

(3a) Different percentages may be prescribed to apply during different parts of a particular surcharge period but only one percentage can apply at any particular time.

”.

- (3) Section 14(4)(c) is amended by deleting “insurance cover under the employer’s policy concerned begins or that employer’s policy is renewable.” and inserting instead —

“

the amount of premium in respect of which the appropriate surcharge is payable is paid.

”.

- (4) Section 14(5) and (6) are repealed.

6. Section 16 amended

- (1) Section 16(1)(a) is amended by deleting “appointed date, within one month from the appointed date” and inserting instead —

“
commencement of a surcharge period, within
one month after that commencement
”.

- (2) Section 16(1)(b) is amended by deleting “after the appointed date, within one month after he becomes” and inserting instead —

“
during a surcharge period, within one month
after becoming
”.

- (3) Section 16(1) is amended by inserting after “12 months” —
“ any of which is during a surcharge period ”.

7. Section 17 repealed

Section 17 is repealed.

8. Section 18 amended

After section 18(2) the following subsection is inserted —

- “
(2a) The regulations may provide for refunds of amounts of surcharge paid if the surcharge period on the basis of which the surcharge was calculated is shortened.
”.

9. Section 36 amended

Section 36(3) is amended by deleting “whether made before, on or after the appointed date” and inserting instead —

“ whenever made ”.

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