

Western Australia

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

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Western Australia

LEGISLATIVE ASSEMBLY

*(As amended during consideration in detail)*

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

**A Bill for**

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

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*.

s. 2

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**2. Commencement**

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

**3. The Act amended**

5 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**

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

“

“**community organisation**” means —

- 15 (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
- 20 (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;

25

”.

**5. Section 3A inserted**

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

“

**3A. Eligible community organisations**

- 5 (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.
- 10 (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.

15

”.

**6. Section 6 amended**

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

“

- 20 (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 —

25

“

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

”.

**s. 7**

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**7. Section 7 amended**

Section 7(4) is amended as follows:

- (a) by inserting after “6(c)” —  
“ or (ca) ”;
- 5 (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**

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

“

- 15 (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 —

“

- 20 (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  
25 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);  
30 and

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

”.

5   **9.   Section 18 amended**

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

“

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

”.

**10.   Transition and savings**

15                   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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