

Authorised Version No. 040
Victorian Managed Insurance Authority
Act 1996

No. 11 of 1996

Authorised Version incorporating amendments as at
29 June 2016

TABLE OF PROVISIONS

<i>Section</i>	<i>Page</i>
Part 1—Preliminary	1
1 Purpose	1
2 Commencement	1
3 Definitions	1
3A Controlling interest	3
4 Declaration of participating bodies	3
4A Declaration that a body ceases to be a participating body	4
Part 2—Victorian Managed Insurance Authority	5
5 Establishment	5
6 Functions	5
7 Powers	6
8 Directions of the Minister	7
9 Delegation	8
10 Board of directors	8
11 Appointment of directors	8
12 Terms and conditions of appointment	9
13 Vacancies, resignations and removal from office	9
14 Acting appointments	10
15 Proceedings of the Board	10
16 Resolutions without meetings	12
17 Validity of decisions	12
18 Disclosure of director's interests	13
19 Corporate plans	14
20 Periodic reports	14
20A Repayment or raising of capital	14
21 Chief executive officer and other staff	15
22 Improper use of information	15

<i>Section</i>	<i>Page</i>
Part 3—Operations of the Authority	16
23 Asset registers and risk management strategies	16
24 Insurance	17
25 Indemnities	18
25A Provision of insurance and indemnities for other persons or bodies	19
25B Authority may determine conditions	20
25C Authority is approved insurer	21
26 Borrowing and investment powers	21
27 Statutory guarantee	21
28 Appropriation for guarantees	22
29 Enforcement of guarantee	22
Part 4—Regulations	23
30 Regulations	23
Part 5—Transitional	24
34 SIO instruments	24
35 Saving of Government guarantees	25
<hr style="border-top: 3px double #000;"/>	
Endnotes	26
1 General information	26
2 Table of Amendments	28
3 Amendments Not in Operation	31
4 Explanatory details	32

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The Parliament of Victoria enacts as follows:

Part 1—Preliminary

1 Purpose

The purpose of this Act is to establish the Victorian Managed Insurance Authority.

2 Commencement

- (1) Part 1 comes into operation on the day on which this Act receives the Royal Assent.
- (2) Subject to subsection (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
- (3) If a provision referred to in subsection (2) does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

3 Definitions

In this Act—

Authority means the Victorian Managed Insurance Authority established by this Act;

Board means the board of directors of the Authority;

Victorian Managed Insurance Authority Act 1996
No. 11 of 1996
Part 1—Preliminary

S. 3 def. of
*controlling
interest*
inserted by
No. 50/2001
s. 3(a).

controlling interest has the meaning given in
section 3A;

S. 3 def. of
department
amended by
Nos 46/1998
s. 7(Sch. 1),
108/2004
s. 117(1)
(Sch. 3
item 225.1),
37/2014
s. 10(Sch.
item 181).

department means—

- (a) a Department within the meaning of the
Public Administration Act 2004; or
- (b) an office or body specified in section
16(1) of that Act;

director means director of the Authority;

guarantee includes indemnity;

S. 3 def. of
*insurance
business*
inserted by
No. 40/2004
s. 47.

insurance business means the business of
undertaking liability, by way of insurance
(including reinsurance), in respect of any
loss or damage, including liability to pay
damages or compensation, contingent upon
the happening of a specified event;

S. 3 def. of
*insurance
services*
inserted by
No. 40/2004
s. 47.

insurance services means any services which are
ancillary to or arise out of the provision of
insurance;

S. 3 def. of
*participating
body*
substituted by
No. 50/2001
s. 3(b).

participating body means, subject to section 4A—

- (a) a body that was a participating body for
the purposes of this Act immediately
before the commencement of section 3
of the **Victorian Managed Insurance
Authority (Amendment) Act 2001**; or

- (b) a statutory authority that in the current or any previous financial year has received more than 50% of its funding from the Consolidated Fund; or
- (c) a body corporate (other than a statutory authority)—
 - (i) that in the current or any previous financial year has received more than 50% of its funding from the Consolidated Fund; and
 - (ii) in which the State has a controlling interest;
- (d) a person or body declared under section 4 to be a participating body for the purposes of this Act;

SIO means the State Insurance Office constituted and incorporated under the **State Insurance Office Act 1984**.

3A Controlling interest

**S. 3A
inserted by
No. 50/2001
s. 4.**

For the purposes of this Act, the State has a controlling interest in a body if—

- (a) at least 50% of the shares in the body are held by, or on behalf of, the State or a statutory authority; or
- (b) at least 50% of the directors (by whatever name called) of the body are appointed by, or at the direction of, the State or a statutory authority.

4 Declaration of participating bodies

**S. 4
substituted by
No. 50/2001
s. 5.**

- (1) The Minister, by notice published in the Government Gazette, may declare any of the following to be a participating body for the purposes of this Act—

- (a) a department of the Parliament;

- (b) a statutory authority (other than a statutory authority referred to in paragraph (b) of the definition of *participating body* in section 3);
 - (c) a body corporate in which the State has a controlling interest (other than a body corporate referred to in paragraph (c) of the definition of *participating body* in section 3).
- (2) The Minister may declare a department of the Parliament to be a participating body only with the agreement of the President of the Legislative Council and the Speaker of the Legislative Assembly.
 - (3) The Minister may declare a statutory authority referred to in subsection (1)(b) or a body corporate referred to in subsection (1)(c) to be a participating body only if, after consultation with the Board and the board of management of the statutory authority or body corporate, the Minister is satisfied that it is expedient to do so.
 - (4) The Minister, by notice published in the Government Gazette, may at any time revoke a declaration made under subsection (1).

S. 4A
inserted by
No. 50/2001
s. 5.

4A Declaration that a body ceases to be a participating body

The Minister, by notice published in the Government Gazette, may declare that a body referred to in paragraph (b) or (c) of the definition of *participating body* in section 3 ceases to be a participating body from the date specified in the notice.

Part 2—Victorian Managed Insurance Authority

5 Establishment

- (1) There is established a body by the name "Victorian Managed Insurance Authority".
- (2) The Authority—
 - (a) is a body corporate with perpetual succession;
 - (b) has an official seal;
 - (c) may sue and be sued;
 - (d) may acquire, hold and dispose of real and personal property;
 - (e) may do and suffer all acts and things that a body corporate may by law do and suffer.
- (3) All courts must take judicial notice of the official seal of the Authority affixed to a document and, until the contrary is proved, must presume that it was duly affixed.
- (4) The official seal of the Authority must be kept in such custody as the Authority directs and must not be used except as authorised by the Authority.

S. 5(3)
amended by
No. 50/2001
s. 8(a).

6 Functions

The functions of the Authority are—

- (a) to assist departments and participating bodies to establish programs for the identification, quantification and management of risks;
- (b) to monitor risk management by departments and participating bodies;
- (c) to act as an insurer for, or provide insurance services to, departments and participating bodies;

S. 6(da)
inserted by
No. 102/2003
s. 39.

(d) to provide indemnities to officers as referred to in Part 3;

(da) to provide insurance or indemnities to persons or bodies in accordance with section 25A;

(e) to provide risk management advice to the State and to provide risk management advice and training to departments and participating bodies;

S. 6(ea)
inserted by
No. 52/2005
s. 31(1),
repealed by
No. 37/2016
s. 6.

* * * * *

(f) to carry out such other functions as are conferred on it by this or any other Act.

S. 7
amended by
No. 40/2004
s. 48 (ILA
s. 39B(1)).

7 Powers

(1) For the purpose of performing its functions, the Authority—

(a) has such powers as are conferred on it by this or any other Act; and

(b) may do all other things necessary or convenient to be done for or in connection with, or as incidental to, the achievement of its objectives or the performance of its functions.

S. 7(2)
inserted by
No. 40/2004
s. 48.

(2) Without limiting or derogating from the generality of subsection (1), the Authority may undertake and carry on in Victoria or elsewhere insurance business for the purpose of providing insurance or insurance services under and for the purposes of this Act.

- (3) Subsection (2) is not limited by reference to the practices, usages, form and procedure for the time being followed by other persons engaged in the general insurance business.

S. 7(3)
inserted by
No. 40/2004
s. 48.

* * * * *

S. 7(4)
inserted by
No. 51/2005
s. 75,
repealed by
No. 58/2012
s. 131.

8 Directions of the Minister

- (1) In the exercise of its powers and performance of its functions, the Authority is subject to the general direction and control of the Minister.
- (2) The Minister must not give a direction under this section that is inconsistent with the functions of the Authority.
- (3) A direction under this section may include a direction concerning corporate performance measures for the Authority which the Authority is to aim to meet.
- (4) As soon as possible after giving a direction in writing to the Board, the Minister must cause a copy of the direction to be published in the Government Gazette.

* * * * *

S. 8(4A)
inserted by
No. 52/2005
s. 31(2),
repealed by
No. 37/2016
s. 6.

- (5) The Authority must include in its annual report under the **Financial Management Act 1994** a copy of each direction given to it in writing by the Minister during the year to which the report relates.

9 Delegation

The Authority may, by instrument under its official seal, delegate to—

- (a) 2 or more directors; or
- (b) an officer of the Authority; or

- (c) the members of a committee established by the Authority; or

- (d) with the consent of the Minister, any other person or class of persons—

any power of the Authority, other than—

- (e) this power of delegation; and
- (f) any other power that is prescribed for the purposes of this section.

10 Board of directors

(1) There shall be a board of directors of the Authority.

(2) The Board—

- (a) is responsible for the management of the affairs of the Authority;
- (b) may exercise the powers of the Authority, including the power of delegation.

11 Appointment of directors

(1) The Board shall consist of not less than 6 and not more than 8 directors appointed by the Governor in Council on the recommendation of the Minister.

(2) The Minister must appoint one of the directors as chairperson of the Authority and one of the directors as deputy chairperson of the Authority.

S. 9(b)
substituted by
No. 44/2014
s. 31.

- (3) An employee of the Authority is not eligible to be a director.
- (4) The **Public Administration Act 2004** (other than Part 3 of that Act) applies to a director in respect of the office of director.

S. 11(4)
amended by
No. 46/1998
s. 7(Sch. 1),
substituted by
Nos 108/2004
s. 117(1)
(Sch. 3
item 225.2),
80/2006
s. 26(Sch.
item 113).

12 Terms and conditions of appointment

- (1) A director shall be appointed for such term, not exceeding 3 years, as is specified in the instrument of appointment, but is eligible for re-appointment.
- (2) A director holds office, subject to this Act, on such terms and conditions as are determined by the Minister.

13 Vacancies, resignations and removal from office

- (1) An appointed director ceases to be a director if he or she—
 - (a) becomes bankrupt; or
 - (b) is absent, without leave first granted by the Board, from 3 consecutive meetings of which reasonable notice has been given to that director personally or by post.
- (2) An appointed director may resign by writing delivered to the Governor.
- (3) The Governor in Council may remove an appointed director from office.

14 Acting appointments

- (1) The Governor in Council may appoint a person to act as Chairperson of the Board—
 - (a) during a vacancy in the office of the Chairperson and the Deputy Chairperson;
 - (b) during any period, or during all periods, when the Chairperson and the Deputy Chairperson are absent or are, for any other reason, unable to perform the functions of Chairperson—

but a person appointed to act during a vacancy must not continue so to act for more than 6 months.

- (2) If a director, other than the Chairperson or Deputy Chairperson, is unable to perform his or her functions, the Governor in Council may appoint another person to act in the place of that director during the period of inability.
- (3) An acting appointment shall be for the term and on the conditions determined by the Governor in Council.
- (4) The Governor in Council may at any time terminate an acting appointment.
- (5) A person appointed under this section has all the powers, and may perform all the functions, of the person for whom he or she is acting.

15 Proceedings of the Board

- (1) Subject to subsection (2), meetings of the Board shall be held at such times and places as the Board determines.
- (2) The Chairperson may at any time convene a meeting but must do so when requested by a director.

- (3) The Chairperson or, in his or her absence, the Deputy Chairperson or, in the absence of both the Chairperson and the Deputy Chairperson, a director appointed by the directors present at a meeting, must preside at the meeting.
- (4) A majority of the directors constitutes a quorum of the Board.
- (5) A question arising at a meeting of the Board shall be determined by a majority of votes of directors present who are eligible to vote and vote on that question and, if voting is equal, the person presiding has a casting, as well as a deliberative, vote.
- (6) The Board must—
 - (a) cause all minutes of all proceedings of its meetings to be entered, within one month after the relevant meeting is held, in books kept for that purpose; and
 - (b) cause those minutes to be signed by the person who presided at the meeting at which the proceedings took place or by the person presiding at the next succeeding meeting; and
 - (c) cause a copy of the minutes of each meeting to be given to the Minister within three days after the meeting at which they are so signed.
- (7) Any minute that is so entered and purports to be so signed is evidence of the proceedings to which it relates.
- (8) If minutes have been so entered and signed, then, unless the contrary is proved—
 - (a) the meeting shall be deemed to have been duly held and convened; and

- (b) all proceedings that are recorded in the minutes as having taken place at the meeting shall be deemed to have duly taken place; and
 - (c) all appointments that are recorded in the minutes as having been made at the meeting shall be deemed to have been validly made.
- (9) Subject to this Act, the Board may regulate its own proceedings.

16 Resolutions without meetings

- (1) If a majority of the directors for the time being sign a document containing a statement that those directors are in favour of a resolution in terms set out in the document, a resolution in those terms shall be taken to have been passed at a meeting of the Board held on the day on which the document is signed or, if the directors do not sign it on the same day, on the day on which the last director to sign signs the document.
- (2) If a resolution is, under subsection (1), taken to have been passed at a meeting of the Board, each director must immediately be advised and given a copy of the terms of the resolution.
- (3) For the purposes of subsection (1), two or more separate documents containing a statement in identical terms, each of which is signed by one or more directors, shall be taken to constitute one document.

17 Validity of decisions

- (1) An act or decision of the Board is not invalid merely because of—
 - (a) a defect or irregularity in, or in connection with, the appointment of a director; or

- (b) a vacancy in the membership of the Board, including a vacancy arising from the failure to appoint an original director.
- (2) Anything done by or in relation to a person purporting to act as chairperson or as a director is not invalid merely because—
 - (a) the occasion for the appointment has not arisen; or
 - (b) there was a defect or irregularity in relation to the appointment; or
 - (c) the appointment had ceased to have effect; or
 - (d) the occasion for the person to act had not arisen or had ceased.

18 Disclosure of director's interests

- (1) A director who has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Board must, as soon as practicable after the relevant facts come to the director's knowledge, disclose the nature of the interest at a meeting of the Board.
- (2) A person presiding at a meeting at which a declaration is made must cause a record of the declaration to be made in the minutes of the meeting.
- (3) After a declaration is made by a director—
 - (a) unless the Board (excluding that director) otherwise resolve, the director must not be present during any deliberation with respect to that matter; and
 - (b) that director is not entitled to vote on the matter; and
 - (c) if that director does vote on the matter, the vote must be disallowed.

S. 18(3)(a)
amended by
No. 50/2001
s. 8(b).

S. 19
(Heading)
inserted by
No. 50/2001
s. 8(c).

19 Corporate plans

S. 19
amended by
No. 50/2001
s. 8(d).

The Board must, before a date to be fixed by the Minister each year, submit to the Minister for his or her approval a corporate plan for its operations for the next 3 years in a form approved by the Minister and containing such matters as the Minister requires.

20 Periodic reports

The Board must, at such times, and in respect of such periods, as the Minister determines, give to the Minister a report of the operations of the Authority containing such information (including information relating to the corporate plan) as the Minister requires.

S. 20A
inserted by
No. 40/2004
s. 49.

20A Repayment or raising of capital

- (1) The capital of the Authority is repayable as a rebate on premiums to departments and participating bodies and other persons or bodies to which insurance or an indemnity is to be provided by the Authority at the time and in the amounts determined by the Minister with the agreement of the Treasurer after consultation with the Authority.
- (2) If the Authority requires additional capital, the additional capital is to be raised by a surcharge on premiums to be paid by departments and participating bodies and other persons or bodies to which insurance or an indemnity is to be provided by the Authority at the time and in the amounts determined by the Minister with the agreement of the Treasurer after consultation with the Authority.

- (3) The Minister must in determining the rebate or surcharge policy that applies to the Authority have regard to the capital requirements of the Authority and the need to provide an appropriate prudential margin for the operations of the Authority.

21 Chief executive officer and other staff

S. 21
substituted by
No. 44/2014
s. 32.

- (1) The Board may appoint or engage a chief executive officer on the terms and conditions determined by the Board.
- (2) The instrument of appointment or engagement of the chief executive officer must specify the terms and conditions of appointment or engagement.
- (3) The chief executive officer may appoint or engage such officers and employees as are necessary to enable the Authority to achieve its objectives, perform its functions and exercise its powers.
- (4) The Board is to determine the terms and conditions of appointment or engagement for the purposes of subsection (3).
- (5) The commencement of section 32 of the **Treasury Legislation and Other Acts Amendment Act 2014** does not affect any appointment or engagement and the terms and conditions of any appointment or engagement in effect immediately before that commencement.

22 Improper use of information

A person who is, or has been, a director or employee of the Authority, must not make improper use of any information acquired only in the course of his or her duties to obtain directly or indirectly any pecuniary or other advantage for himself or herself or for any other person.

Penalty: 50 penalty units.

Part 3—Operations of the Authority

23 Asset registers and risk management strategies

S. 23
substituted by
No. 50/2001
s. 6.

- (1) A department or participating body that is not a department or public body within the meaning of the **Financial Management Act 1994** must—
 - (a) maintain a register of assets held or managed by it; and
 - (b) develop, implement and keep under review a risk management strategy.

Note

Section 44B of the **Financial Management Act 1994** requires a department or public body within the meaning of that Act to maintain a register of assets and develop, implement and keep under review a risk management strategy.

- (2) The register of assets is to be in the form, and contain the information, determined by the Authority.
- (3) Each department and participating body must give the Authority, at the intervals determined by the Authority—
 - (a) a copy of its register of assets and risk management strategy under this section or section 44B of the **Financial Management Act 1994** (as the case may be) or an extract from the register of assets and risk management strategy in the form, and containing the information, required by the Authority; and
 - (b) a report on the implementation of its risk management strategy.

- (4) As soon as practicable after receiving a copy of a register of assets or risk management strategy or a report under subsection (3), the Authority must report to the Minister and the department or participating body that gave the copy or report to the Authority, on the adequacy of the register of assets, risk management strategy or report.

24 Insurance

S. 24
substituted by
No. 50/2001
s. 6.

- (1) Except as otherwise provided by this section, a department or participating body must—
- (a) arrange its insurance with the Authority; and
 - (b) pay the premiums determined by the Authority with the approval of the Minister at the times determined by the Authority with the approval of the Minister.

- (2) Nothing in this section affects the application of the **Accident Compensation Act 1985**, the **Workplace Injury Rehabilitation and Compensation Act 2013** or the **Transport Accident Act 1986** to a department or participating body.

S. 24(2)
amended by
No. 67/2013
s. 649(Sch. 9
item 34),
substituted by
No. 21/2015
s. 3(Sch. 1
item 66).

- (3) The Minister may direct the Authority in writing not to provide insurance of a kind specified in the direction to a department or participating body, or class of departments or participating bodies, specified in the direction.

- (4) The Minister, after consultation with the Board, may exempt a department or participating body from any requirement of subsection (1).

- (4A) Subject to subsection (4B), the Authority may decline to provide insurance cover in respect of a specific risk identified by a department or participating body.

S. 24(4A)
inserted by
No. 40/2004
s. 50.

S. 24(4B)
inserted by
No. 40/2004
s. 50.

(4B) Despite subsection (4A), the Minister may direct the Authority in writing to provide insurance cover in respect of a specific risk for which the Authority has declined to provide insurance cover.

S. 24(4C)
inserted by
No. 40/2004
s. 50.

(4C) Subsection (1) does not apply if—
(a) the Authority declines to provide insurance cover under subsection (4A); and
(b) the Minister does not direct the Authority under subsection (4B) to provide the insurance cover.

(5) The Authority may provide insurance to a department or participating body jointly or by arrangement with any other department or participating body.

25 Indemnities

S. 25(1)
amended by
Nos 73/1996
s. 101(a)(b),
50/2001
s. 7(a).

(1) The Authority may provide an indemnity to a person who is or has been an officer of a State company or statutory authority (other than the Authority) against liabilities that by law may attach to the person as such an officer or former officer.

(2) In this section—

officer, in relation to a State company or statutory authority, means—

S. 25(2) def. of
officer
substituted by
No. 50/2001
s. 7(b).

- (a) a director or member of the board of management of the company or authority; or
- (b) a secretary, executive officer or other person concerned in, or who takes part in, the management of the company or authority; or

- (c) in the case of a statutory authority that does not have a board of management—a member of the authority;

State company means a company within the meaning of the Corporations Act that is taken to be registered in Victoria—

S. 25(2) def. of ***State company*** amended by No. 44/2001 s. 3(Sch. item 125).

- (a) a majority of the shares in which are held by, or on behalf of, the State or a statutory authority; or
- (b) a majority of the directors of which is appointed by, or by a person acting on behalf of, the state or a statutory authority;

statutory authority includes a State body within the meaning of the **State Owned Enterprises Act 1992**.

25A Provision of insurance and indemnities for other persons or bodies

S. 25A inserted by No. 102/2003 s. 40.

- (1) The Minister may direct the Authority to provide insurance or an indemnity to—
 - (a) a person or body specified in the direction; or
 - (b) persons or bodies in a class of person or body specified in the direction.
- (2) The Minister must consult with the Authority before giving a direction under this section.
- (3) A direction under this section must be in writing and may specify—
 - (a) the risks to be insured or indemnified;
 - (b) the maximum value of liability to be covered;

S. 25A(3)(c)
amended by
No. 43/2008
s. 23.

- (c) the term (not exceeding 5 years) for which the insurance or indemnity is to be provided;
 - (d) any other terms and conditions for the provision of the insurance or indemnity that the Minister thinks fit.
- (4) Subject to subsection (6), the Authority must comply with a direction under this section.
 - (5) The Authority may by notice in writing require any person or body to whom or which insurance or an indemnity is to be provided under this section to pay a premium for that insurance or indemnity.
 - (6) The Authority may refuse to insure or indemnify a person or body under this section if the relevant premium is not paid within the time (being not less than 30 days) specified in the notice under subsection (5).
 - (7) As soon as possible after giving a direction under this section to the Authority, the Minister must cause a copy of the direction to be published in the Government Gazette.
 - (8) The Authority must include in its annual report under the **Financial Management Act 1994** a copy of each direction given to it by the Minister under this section during the year to which the report relates.

S. 25B
inserted by
No. 40/2004
s. 51.

25B Authority may determine conditions

- (1) Subject to subsection (3), the Authority may, by agreement with departments and participating bodies and other persons or bodies to which insurance or an indemnity is to be provided by the Authority, determine deductible and maximum loss conditions to be included in insurance contracts or indemnities under this Act.

- (2) The amounts specified in deductible and maximum loss conditions may vary for different risks or different categories of risks.
- (3) The Minister may direct the Authority in writing in respect of levels of deductibles and maximum losses to apply to—
 - (a) insurance contracts or indemnities generally; or
 - (b) a specified risk or category of risk in an insurance contract entered into with, or an indemnity provided to, a specified department or participating body or other person or body.

25C Authority is approved insurer

The Authority is an approved insurer for the purposes of the **Workers Compensation Act 1958**.

S. 25C
inserted by
No. 73/2005
s. 4(Sch. 2
item 5.1).

26 Borrowing and investment powers

The Authority—

- (a) may obtain financial accommodation for the Authority subject to and in accordance with the powers conferred on it by the **Borrowing and Investment Powers Act 1987**; and
- (b) may invest money of the Authority in accordance with the powers conferred on it by that Act.

27 Statutory guarantee

- (1) The due satisfaction of amounts payable by the Authority as a result of or in connection with liabilities of the Authority, including, without limiting the generality of the foregoing, the payment of expenses of enforcing or obtaining or endeavouring to enforce or obtain such

satisfaction, is guaranteed by the Government of Victoria.

- (2) Subsection (1) does not apply in relation to any liabilities that (whether or not at the direction of the Minister) were declared in writing by the Authority before they were incurred to be liabilities to which subsection (1) would not apply.
- (3) In each year beginning on 1 January, the Authority must, in respect of the guarantee under this section, pay to the Treasurer for payment into the Consolidated Fund from its surplus for the financial year ending on the preceding 30 June such amount as the Treasurer, after consultation with the Authority, determines.
- (4) The amount required to be paid under subsection (3) must be paid in such instalments and at such times as are determined by the Treasurer.

S. 27(3)
amended by
No. 50/2001
s. 8(e).

28 Appropriation for guarantees

- (1) Any sums required by the Treasurer in fulfilling any liability arising under a guarantee by the Government of Victoria provided by or given under this Act shall be paid out of the Consolidated Fund (which is hereby to the necessary extent appropriated accordingly).
- (2) Any sums received or recovered by the Treasurer from the Authority or otherwise in respect of any sums paid by the Treasurer under a guarantee shall be paid into the Consolidated Fund.

29 Enforcement of guarantee

A guarantee under this Act has effect and may be enforced as if the guarantee were a contract made on behalf of the Crown and section 23(1)(a) of the **Crown Proceedings Act 1958** applied accordingly.

Part 4—Regulations

30 Regulations

The Governor in Council may make regulations for or with respect to any other matter or thing required or permitted by this Act to be prescribed or necessary to be prescribed to give effect to this Act.

Part 5—Transitional

S. 31 amended by No. 73/1996 s. 102(a), repealed by No. 40/2004 s. 52.	*	*	*	*	*
S. 32 repealed by No. 40/2004 s. 52.	*	*	*	*	*
S. 33 amended by No. 73/1996 s. 102(b), repealed by No. 40/2004 s. 52.	*	*	*	*	*

34 SIO instruments

- (1) Each SIO instrument continues to have effect according to its tenor on and after the commencement of this section as if a reference in the instrument to SIO were a reference to the Authority.
- (2) In this section, *SIO instrument* means an instrument (including a legislative instrument other than this Act) subsisting immediately before the commencement of this section—
 - (a) given by SIO or to which SIO was a party; or
 - (b) that was given to or in favour of SIO; or
 - (c) that refers to SIO; or
 - (d) under which—
 - (i) money is, or may become, payable to or by SIO; or
 - (ii) other property is to be, or may become liable to be, transferred to or by SIO.

35 Saving of Government guarantees

Despite the repeal of the **State Insurance Office Act 1984** by the **Treasury Legislation (Repeal) Act 2005**, section 22 of that 1984 Act continues to apply to a policy, contract or arrangement referred to in that section.

S. 35
repealed by
No. 40/2004
s. 52,
new s. 35
inserted by
No. 73/2005
s. 4(Sch. 2
item 5.2).

* * * * *

Pt 6 (Heading
and s. 36)
repealed by
No. 40/2004
s. 52.

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

Minister's second reading speech—

Legislative Assembly: 16 May 1996

Legislative Council: 5 June 1996

The long title for the Bill for this Act was "to establish the Victorian Managed Insurance Authority and for other purposes."

The **Victorian Managed Insurance Authority Act 1996** was assented to on 25 June 1996 and came into operation as follows:

Part 1 (sections 1–4) on 25 June 1996: section 2(1); rest of Act on 1 October 1996: Special Gazette (No. 115) 1 October 1996 page 22.

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).

2 Table of Amendments

This publication incorporates amendments made to the **Victorian Managed Insurance Authority Act 1996** by Acts and subordinate instruments.

Miscellaneous Acts (Further Omnibus Amendments) Act 1996, No. 73/1996

Assent Date: 17.12.96
Commencement Date: Ss 101, 102 on 17.12.96: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Public Sector Reform (Miscellaneous Amendments) Act 1998, No. 46/1998

Assent Date: 26.5.98
Commencement Date: S. 7(Sch. 1) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Corporations (Consequential Amendments) Act 2001, No. 44/2001

Assent Date: 27.6.01
Commencement Date: S. 3(Sch. item 125) on 15.7.01: s. 2
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Victorian Managed Insurance Authority (Amendment) Act 2001, No. 50/2001

Assent Date: 27.6.01
Commencement Date: 28.6.01: s. 2
Current State: All of Act in operation

Wrongs and Other Acts (Law of Negligence) Act 2003, No. 102/2003

Assent Date: 2.12.03
Commencement Date: Ss 39, 40 on 3.12.03: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Treasury and Finance Legislation (Amendment) Act 2004, No. 40/2004

Assent Date: 8.6.04
Commencement Date: Ss 47–52 on 9.6.04: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Public Administration Act 2004, No. 108/2004

Assent Date: 21.12.04
Commencement Date: S. 117(1)(Sch. 3 item 225) on 5.4.05: Government Gazette 31.3.05 p. 602
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Victorian Managed Insurance Authority Act 1996
No. 11 of 1996
Endnotes

Victoria State Emergency Service Act 2005, No. 51/2005

Assent Date: 24.8.05
Commencement Date: S. 75 on 1.7.06: s. 2(3)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

House Contracts Guarantee (Amendment) Act 2005, No. 52/2005

Assent Date: 13.9.05
Commencement Date: S. 31 on 1.2.06: Government Gazette 25.1.06 p. 108
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Treasury Legislation (Repeal) Act 2005, No. 73/2005

Assent Date: 25.10.05
Commencement Date: S. 4(Sch. 2 item 5) on 26.10.05: s. 2
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Public Sector Acts (Further Workplace Protection and Other Matters) Act 2006, No. 80/2006

Assent Date: 10.10.06
Commencement Date: S. 26(Sch. item 113) on 11.10.06: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Superannuation Legislation Amendment Act 2008, No. 43/2008

Assent Date: 26.8.08
Commencement Date: S. 23 on 27.8.08: s. 2
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Fire Services Property Levy Act 2012, No. 58/2012

Assent Date: 16.10.12
Commencement Date: S. 131 on 1.7.13: s. 2(3)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Workplace Injury Rehabilitation and Compensation Act 2013, No. 67/2013

Assent Date: 12.11.13
Commencement Date: S. 649(Sch. 9 item 34) on 1.7.14: s. 2(1)
Current State: This information relates only to the provision/s amending the **Victorian Managed Insurance Authority Act 1996**

Victorian Managed Insurance Authority Act 1996
No. 11 of 1996
Endnotes

**Victoria Police Amendment (Consequential and Other Matters) Act 2014,
No. 37/2014**

Assent Date: 3.6.14
Commencement Date: S. 10(Sch. item 181) on 1.7.14: Special Gazette
(No. 200) 24.5.14 p. 2
Current State: This information relates only to the provision/s
amending the **Victorian Managed Insurance
Authority Act 1996**

Treasury Legislation and Other Acts Amendment Act 2014, No. 44/2014

Assent Date: 27.6.14
Commencement Date: Ss 31, 32 on 28.6.14: s. 2(1)
Current State: This information relates only to the provision/s
amending the **Victorian Managed Insurance
Authority Act 1996**

Statute Law Revision Act 2015, No. 21/2015

Assent Date: 16.6.15
Commencement Date: S. 3(Sch. 1 item 66) on 1.7.14: s. 2(2)(f)
Current State: This information relates only to the provision/s
amending the **Victorian Managed Insurance
Authority Act 1996**

House Contracts Guarantee Repeal Act 2016, No. 37/2016

Assent Date: 28.6.16
Commencement Date: S. 6 on 29.6.16: s. 2
Current State: This information relates only to the provision/s
amending the **Victorian Managed Insurance
Authority Act 1996**

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

No entries at date of publication.