

FIRE BRIGADES (AMENDMENT) ACT 1993 No. 99

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

FIRE BRIGADES (AMENDMENT) ACT 1993 No. 99

NEW SOUTH WALES



Act No. 99, 1993

An Act to amend the Fire Brigades Act 1989 with respect to returns by insurance companies, and for related purposes. [Assented to 2 December 1993]

The Legislature of New South Wales enacts:**Short title**

1. This Act may be cited as the Fire Brigades (Amendment) Act 1993.

Commencement

2. This Act commences on the date of assent.

Amendment of Fire Brigades Act 1989 No. 192

3. The Fire Brigades Act 1989 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 3 (Definitions):

Omit the definition of “policy of insurance”, insert instead:
“policy of insurance” includes:

- (a) any certificate or declaration as to the existence of, and any agreement for, any insurance; or
- (b) any instrument in writing by which any contract of insurance is made or agreed to be made or is evidenced,

but does not include a policy of reinsurance.

(2) Section 55 (Advance payment by insurance companies):

From section 55 (2), omit “calendar year immediately preceding the last preceding calendar year”, insert instead “financial year that last ended before that calendar year”.

(3) Section 56 (Assessments and adjustments):

- (a) From section 56 (1), omit “the last preceding calendar year”, insert instead “that year”.
- (b) From section 56 (2) and (3), omit “1 July” wherever occurring, insert instead “31 December”.

(4) Section 58 (Returns by insurance companies):

- (a) From section 58 (1), omit “March”, insert instead “September”.
- (b) From section 58 (1) (a), omit “calendar”, insert instead “financial”.

SCHEDULE 1—AMENDMENTS —*continued*(5) Section 59 (**Definition of “total amount of premiums”**):

From the definition of “total amount of premiums”, omit the words “but does not include:” and omit paragraphs (d) and (e), insert instead:

but does not include stamp duty payable in respect of any policy of insurance the subject of any such premium.

(6) Section 61 (**Returns by owners of property**):

(a) From section 61 (1), omit "March", insert instead “September”.

(b) From section 61 (2), omit “12 months”, insert instead “financial year”.

(7) Section 61A:

After section 61, insert:

Transitional arrangement—special returns by insurance companies (and by certain property owners) for 6 month period ending 30 June 1993

61A. (1) The purpose of this section is to facilitate the changeover, from a calendar year to a financial year basis, of returns by insurance companies under section 58 and by owners of property under section 61 as a result of the amendments made by the Fire Brigades (Amendment) Act 1993.

(2) As soon as practicable after the commencement of that Act (but not later than 1 month after that commencement):

(a) an insurance company must submit to the Director-General a return (in accordance with section 58) in respect of the period of 6 months beginning 1 January 1993 and ending 30 June 1993; and

(b) a person to whom section 57 applies must submit to the Director-General a return (in accordance with section 61) in respect of the period of 6 months beginning 1 January 1993 and ending 30 June 1993.

(3) A return under this section is to be in a form approved by the Director-General.

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SCHEDULE 1—AMENDMENTS—*continued*

(4) Such returns are to be used by the Director-General to effect the assessments and adjustments under section 56 for the 1993 calendar year and to determine the advance payments under section 55 for the 1994 calendar year.

(5) Without limiting clause 2 of Schedule 4, the regulations may make provision for or with respect to returns under this section and the assessments, adjustments and advance payments referred to in subsection (4).

(8) Schedule 4 (**Savings and transitional provisions**):

(a) From clause 2 (1), omit “this Act.”, insert instead:
the following Acts:

 this Act

 the Fire Brigades (Amendment) Act 1993.

(b) From clause 2 (2), omit “this Act”, insert instead “the Act concerned”.

*[Minister's second reading speech made in—
Legislative Assembly on 27 October 1993
Council on 19 November 1993]*