

THE NORTHERN TERRITORY OF AUSTRALIA  
TERRITORY INSURANCE OFFICE ACT  
No. 59 of 1979  
TABLE OF PROVISIONS

Section

PART I - PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART II - THE TERRITORY INSURANCE OFFICE

4. Establishment of the Office
5. Functions of the Office
6. Powers of the Office
7. Directions of the Minister
8. Sound insurance principles to be followed

PART III - THE BOARD

9. Office to be controlled by the Board
10. Composition of the Board
11. Period of appointment
12. Chairman
13. Fees and expenses
14. Resignation of members
15. Dismissal of members
16. Acting appointments
17. Disclosure of interests
18. Meetings of Board
19. Appointment of General Manager and staff
20. Retention of Public Service rights
21. Consultants and advice

PART IV - FINANCE OF THE OFFICE

22. Moneys of the Office
23. Application of moneys
24. Bank accounts
25. Proper accounts to be kept
26. Payment of surplus moneys to the Territory
27. Power of auditor
28. Office to pay Territory taxes, &c.

PART V - MISCELLANEOUS

29. Re-insurance, &c.
30. Territory to guarantee contracts of insurance
31. Office may act as agent
32. Terms of contract and execution of documents
33. Annual reports
34. Regulations

# THE NORTHERN TERRITORY OF AUSTRALIA

No. 59 of 1979

## AN ACT

To establish the Territory Insurance Office to carry out certain insurance business and other related activities in the Territory, and for other purposes  
[Assented to 15 June 1979]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### PART I - PRELIMINARY

- |  |                |
|--|----------------|
| 1. This Act may be cited as the <u>Territory Insurance Office Act 1979</u> .   | Short title    |
| 2. This Act shall come into operation on a date to be fixed by the Administrator by notice in the <u>Gazette</u> .   | Commencement   |
| 3. In this Act, unless the contrary intention appears -  | Interpretation |
| "Board" means the Board of the Office;   |                |
| "Chairman" means the Chairman of the Board;  |                |
| "Deputy Chairman" means the Deputy Chairman of the Board;  |                |
| "insurance" includes assurance, additional insurance, counter insurance, treaty and internal insurance, and re-insurance, guarantee and surety, but does not include life insurance other than insurance in respect of death in or as a result of an accident involving a motor vehicle; |                |
| "General Manager" means the General Manager of the Office;   |                |
| "Office" means the Territory Insurance Office established by this Act.   |                |

### PART II - THE TERRITORY INSURANCE CORPORATION

- |   |               |
|---|---------------|
| 4.(1) There is hereby established a <u>Territory Insurance Office</u> . | Establishment |
|---|---------------|

## Territory Insurance Office

- of the Office      (2) The Office -
- (a) is a body corporate;
  - (b) shall have a common seal; and
  - (c) is capable, in its corporate name, of acquiring, holding and disposing of real and personal property and of suing and being sued.

(3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Office or signature of the General Manager or a Deputy General Manager of the Office affixed to a document and shall assume that it was duly affixed.

- Functions of the Office      5. The functions of the Office are -
- (a) to act as the insurer in respect of the assets and prospective liabilities of the Territory and statutory corporations;
  - (b) to transact workmen's compensation insurance in respect of persons required to insure in accordance with the provisions of the Workmen's Compensation Act;
  - (c) to administer any motor accident compensation scheme established by or under an Act;
  - (d) to carry out such functions in relation to the management and control of moneys and other assets of the Territory and statutory corporations, and on such terms and conditions, as the Minister in writing directs;
  - (e) to transact such general business of insurance as the Minister directs;
  - (f) to promote and participate in the promotion of road and industrial safety; and
  - (g) such other functions as are, from time to time, imposed upon it by or under any other Act.

Powers of the Office      6.(1) Subject to this Act, the Office has power to do all things that are necessary or convenient to be done for or in connection with, or incidental to, the performance of its functions.

Territory Insurance Office

(2) Without limiting the generality of sub-section (1), the Office may, for the purpose of carrying out its functions or exercising its powers, including the powers conferred on it elsewhere in this or any other Act -

- (a) establish branches in any part of the Territory;
- (b) appoint persons in or outside the Territory as its agents;
- (c) act as insurance brokers;
- (d) enter into contracts;
- (e) acquire, hold and dispose of real or personal property, rights, privileges, permits, licences and authorities;
- (f) acquire an interest in any company carrying on insurance business in the Territory;
- (g) improve any real or personal property owned by or under the control of the Office;
- (h) take action to encourage the rehabilitation of disabled persons, including conducting or participating in the management or control of rehabilitation facilities, and the making of arrangements for the provision of rehabilitation services, in the Territory;
- (j) undertake, either alone or in conjunction with other persons or organizations, safety campaigns, safety exhibitions and safety courses, publish and disseminate safety literature and information and carry out research into the causes, incidence, cost and methods of prevention of accidents, personal injuries and occupational diseases;
- (k) receive grants of money from the Territory;
- (m) borrow money from such sources, and upon such terms and conditions, as are approved by the Minister;
- (n) invest its money in any investment available to the Public Trustee under the Public Trustee Act and in investments or investments of a class of investments approved by the Minister;

Territory Insurance Office

- (o) establish reserves for the carrying out of its functions and meeting its liabilities; and
- (p) subject to any Act, fix premium and contribution rates in respect of any business of insurance or compensation scheme carried on or administered by it.

Directions of the Minister 7. Except as provided by or under this or any other Act, the Office, in the performance of its functions and the exercising of its powers, is subject to the written directions of the Minister.

Sound insurance principles to be followed 8. Subject to section 7 and to the requirements of any other Act, in the carrying out of the business of insurance the Office shall follow sound insurance principles.

PART III - THE BOARD

Office to be controlled by the Board 9.(1) The affairs of the Office shall be conducted by the Board.

(2) All acts and things done in the name of or on behalf of the Office by or with the authority of the Board shall be deemed to have been done by the Office.

Composition of the Board 10.(1) The Board shall consist of 5 members appointed by the Minister.

(2) The exercise or performance of the powers or functions of the Board is not affected by reason only of there being a vacancy in the office of a member.

Period of appointment 11.(1) Subject to this Act, a member of the Board who is not an employee as defined in the Public Service Act holds office until the expiration of such period, not exceeding 3 years, as is specified in his instrument of appointment, but is eligible for reappointment.

(2) Where a period of appointment is not specified in the instrument of appointment of a member of the Board who is not an employee as defined in the Public Service Act, the member holds office, subject to this Act, for 3 years.

Chairman 12.(1) The Minister shall appoint a person who is, or is to be, a member of the Board to be the Chairman and another such person to be the Deputy Chairman of the Board.

Territory Insurance Office

(2) Subject to sub-section (3), the Chairman or, in his absence, the Deputy Chairman shall preside at all meetings of the Board.

(3) In the absence of the Chairman and Deputy Chairman the members of the Board present at a meeting shall elect an acting chairman, and that person may exercise the powers and perform the duties of the Chairman for that meeting.

13.(1) The members of the Board who are not employees as defined in the Public Service Act shall be paid, in respect of their services, such fees, allowances and expenses, and at such rates, as are determined by the Minister.

Fees and expenses

(2) The fees, allowances and expenses referred to in sub-section (1) shall be paid out of the moneys of the Office.

14. A member of the Board who is not an employee as defined in the Public Service Act may resign his office by writing signed by him and delivered to the Minister.

Resignation of members

15.(1) The Minister may terminate the appointment of a member of the Board who is not an employee as defined in the Public Service Act for inability, inefficiency, misbehaviour or physical or mental incapacity.

Dismissal of members

(2) If a member of the Board -

- (a) is absent, except on leave granted by the Board, from 3 consecutive meetings of the Board; or
- (b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit,

the Minister shall terminate his appointment.

16.(1) Where a member of the Board who is not an employee as defined in the Public Service Act is or is expected to be absent from duty or from the Territory, the Minister may appoint a person to act as a member during the absence.

Acting appointments

(2) The validity of a decision of the Board shall not be questioned in any proceedings on a ground arising from the fact that the occasion for the

Territory Insurance Office

appointment of a person purporting to be appointed under sub-section (1) had not arisen or that an appointment under that sub-section had ceased to have effect.

**Disclosure of interests** 17.(1) A member of the Board who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board, otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than 25 persons and of which he is not a director, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

(2) A disclosure under sub-section (1) shall be recorded in the minutes of the meeting, and the member -

- (a) shall not, while he has that interest, take part after the disclosure in any deliberation or decision of the Board in relation to that matter; and
- (b) shall be disregarded for the purposes of constituting a quorum of the Board in relation to that matter.

**Meetings of Board**

18.(1) The Chairman shall call such meetings of the Board as are necessary for the exercise of its powers and the performance of its functions but so that the interval between one meeting and the next shall not exceed 2 months.

(2) At a meeting of the Board -

(a) 3 members constitute a quorum;

(b) questions arising shall be determined by a majority of the votes of the members present and voting and in the event of an equality of votes the member presiding shall have, in addition to his deliberative vote, a casting vote; and

(c) subject to this Act, the Board shall determine the procedures to be followed at or in connection with the meeting.

(3) The Board shall keep records of its meetings.

**Appointment of General Manager and staff**

19. The Board may employ, upon such terms and conditions as it thinks fit, a General Manager of the Office and such other persons (including Deputy



Territory Insurance Office

General Managers) as it thinks necessary for the efficient operation of the business of the Office.

20.(1) The Board may, by agreement with the Public Service Commissioner, employ as the General Manager or Deputy General Manager a person who is an employee within the meaning of the Public Service Act.

Retention of  
Public Service  
rights

(2) Where a person is employed in pursuance of sub-section (1), the Office shall be deemed to be, in relation to that person, a prescribed authority within the meaning of the Public Service Act.

21. The Board may engage consultants to advise it on the operation of its business and may make arrangements to be provided with such medical and actuarial advice as it thinks fit.

Consultants  
and advice

PART IV - FINANCE OF THE OFFICE

22. The moneys of the Office consist of -

Moneys of  
the Office

- (a) such moneys as are appropriated for the purposes of the Office by or under this or any other Act;
- (b) premiums and contributions received by the Office in respect of the business of insurance conducted, or compensation scheme administered, by it;
- (c) moneys received on insurance or re-insurance contracts or arrangements entered into by the Office;
- (d) proceeds of the sale or other disposition of property of the Office;
- (e) interest on investments of moneys of the Office;
- (f) dividends on shares owned by the Office; and
- (g) such other amounts as, from time to time, become available for the use of the Office under this or any other Act.

23.(1) The moneys of the Office shall be applied only in payment or discharge of the expenses and other obligations of the Office, whether contractually incurred or imposed by or under a law in force in the Territory.

Application  
of moneys

## Territory Insurance Office

(2) Moneys standing to the credit of an account established for the purposes of any motor accident compensation scheme administered by the Office shall not be applied except to meet the obligations of the Office in respect of that scheme or for meeting the reasonable costs of operating that scheme.

Bank accounts            24. The Office shall open and maintain in the Territory an account or accounts with a bank or banks.

Proper accounts to be kept            25. The Board shall cause to be kept proper accounts and records of the transactions and affairs of the Office and shall do all things necessary to ensure that all payments out of the moneys of the Office are correctly made and properly authorized and that adequate control is maintained over the assets of, or in the custody of, the Office and over the incurring of liabilities by the Office.

Payment of surplus moneys to the Territory            26. Subject to section 23(2), the Minister may direct that any amount of funds held by the Office which, in his opinion, is in excess of that required as adequate provision for actual and contingent liabilities or for the reasonable operating and other expenses of the Office shall be paid by the Office to the Consolidated Fund of the Territory.

Power of auditor            27.(1) In this section "auditor" means a registered company auditor within the meaning of the Companies Act and includes a firm of auditors all the partners of which are so registered.

(2) The Board shall, not later than 7 days after 30 June of each year, appoint an auditor for the Office and shall, within one month after so doing, notify the Minister of the name of the auditor.

(3) The auditor shall inspect and audit the accounts and records of financial transactions of the Office and the records relating to assets of, or in the custody of, the Office, and shall forthwith draw the attention of the Minister to any irregularity disclosed by the inspection and audit that, in the opinion of the auditor, is of sufficient importance to justify his so doing.

(4) The auditor may, at his discretion, dispense with all or any part of the detailed inspection and audit of any accounts or records referred to in sub-section (3).

(5) The auditor shall, as soon as practicable after completing it, report to the Minister the results of the inspection and audit carried out under sub-section (3).

Territory Insurance Office

(6) The auditor, or a person authorized by him, is entitled at all reasonable times to full and free access to all accounts, records, documents and papers of the Office relating directly or indirectly to the receipt or payment of moneys by the Office or to the acquisition, receipt, custody or disposal of assets by the Office.

(7) The auditor, or a person authorized by him, may make copies of or take extracts from any such accounts, records, documents or papers.

(8) The auditor, or a person authorized by him, may require a person to furnish him with such information in the possession of the person or to which the person has access as the auditor or authorized person considers necessary for the purposes of the functions of the auditor under this Act, and the person shall comply with the requirement.

Penalty for an offence against this sub-section:  
\$200.

28. Nothing in this or any other Act relieves the Office from the liability to pay Territory taxes, rates and duties in respect of its business and activities that it would have if it were a company incorporated under the Companies Act and, in addition, the Minister may, by notice in writing to the Board, require the Office to pay to the Consolidated Fund of the Territory, within the time and in respect of the period specified in the notice, such amount as he considers would have been the liability of the Office to pay income tax under the Income Tax Assessment Act 1936 of the Commonwealth had its income not been exempted from income tax by that Act.

Office to pay  
Territory  
taxes, &c.

PART V - MISCELLANEOUS

29.(1) The Board may open and operate funds and accounts for the undertaking of internal insurance or internal re-insurance in respect of and for the purposes of any or all classes of insurance carried on by it, and with or from any one or more of any funds or accounts of the Office.

Re-insurance,  
&c.

(2) Nothing in sub-section (1) shall be construed as limiting the Office's power to arrange insurance or re-insurance with any other insurer.

30.(1) Every policy or contract of insurance or indemnity issued or entered into by the Office within the authority of this or any other Act is hereby guaranteed by the Territory and, when the occasion

Territory to  
guarantee con-  
tracts of  
insurance

Territory Insurance Office

for the payment of money on such guarantee arises, the amount shall, by virtue of this section, be appropriated accordingly and shall be paid out of the Consolidated Fund of the Territory on receipt by the Treasurer of a certificate from the Solicitor-General indicating that the amount is legally payable.

(2) The amount of any money paid by the Territory in pursuance of a certificate issued under sub-section (1) shall be a debt payable by the Office to the Territory.

Office may  
act as  
agent

31. The Office may act as the agent of any person carrying on insurance business in or outside the Territory.

Terms of  
contract  
and execut-  
ion of  
documents

32.(1) Any deed, instrument, contract or agreement relating to any property or matter which, if made or executed by an individual, would be by law required to be in writing under seal may be made on behalf of the Office in writing under the common seal of the Office.

(2) Any instrument, contract or agreement relating to any property or matter which, if made by or between individuals would be required to be in writing signed by the parties to be charged therewith, may be made on behalf of the Office in writing by any person acting under the authority, express or implied, of the Board.

(3) Any contract relating to any property or matter which, if made between individuals, would by law be valid although made by parol only (and not reduced to writing) may be made on behalf of the Office by any person acting under the authority, expressed or implied, of the Board.

(4) Any contract which is entered into or any instrument, contract or agreement which is signed in relation to any property or obligation of the Office shall be deemed to have been entered into or signed with the express authority of the Board if it is entered into or signed in accordance with a resolution of the Board for the time being in force.

Annual  
reports

33.(1) The Board shall, as soon as practicable after 30 June of each year, prepare and furnish to the Minister a report of the operations of the Office during the year ended on that date, together with financial statements in respect of that year, in such form as the Treasurer approves.

(2) Before furnishing financial statements to the

Territory Insurance Office

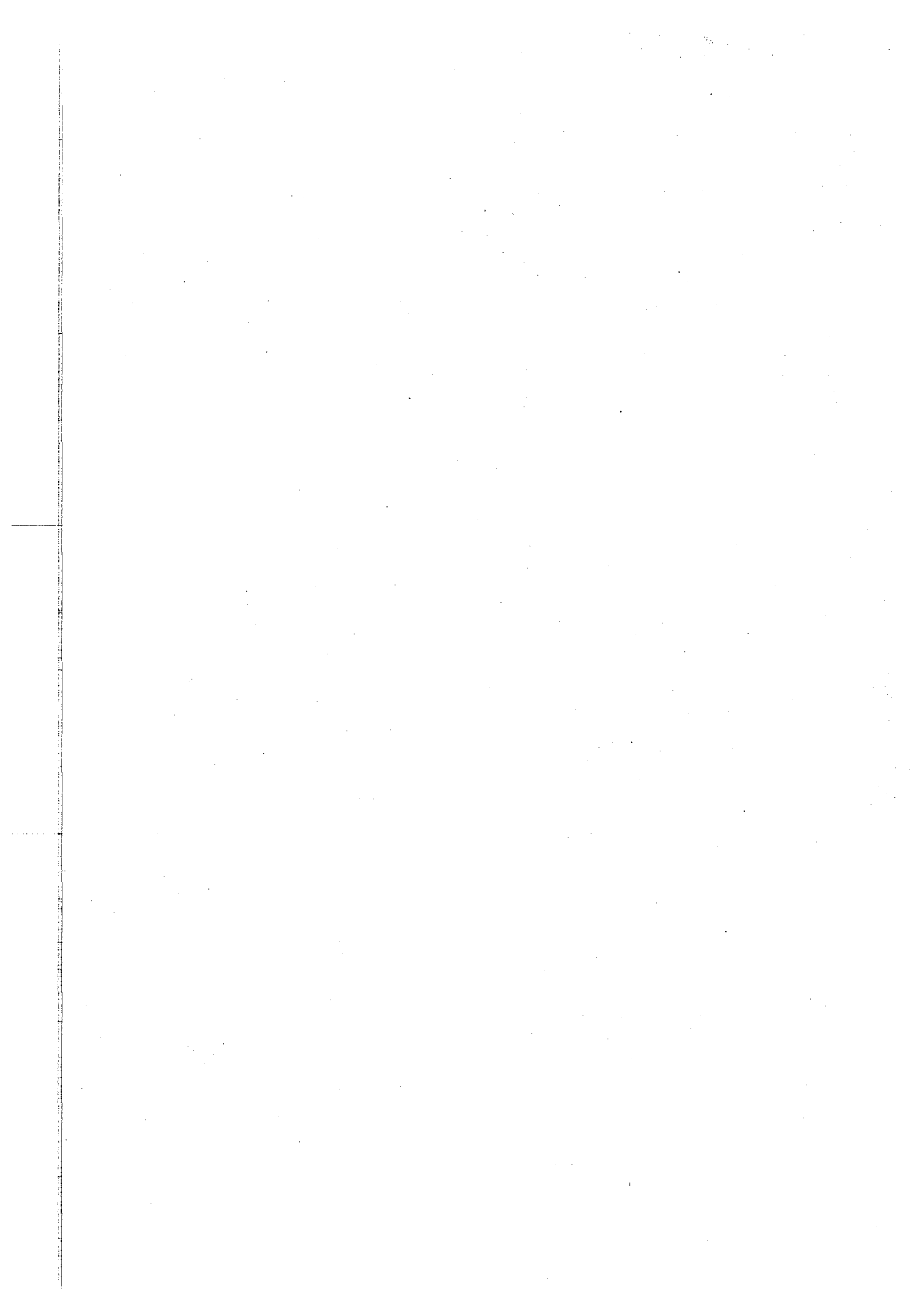
Minister, the Board shall submit them to the auditor appointed under section 27, who shall report to the Minister -

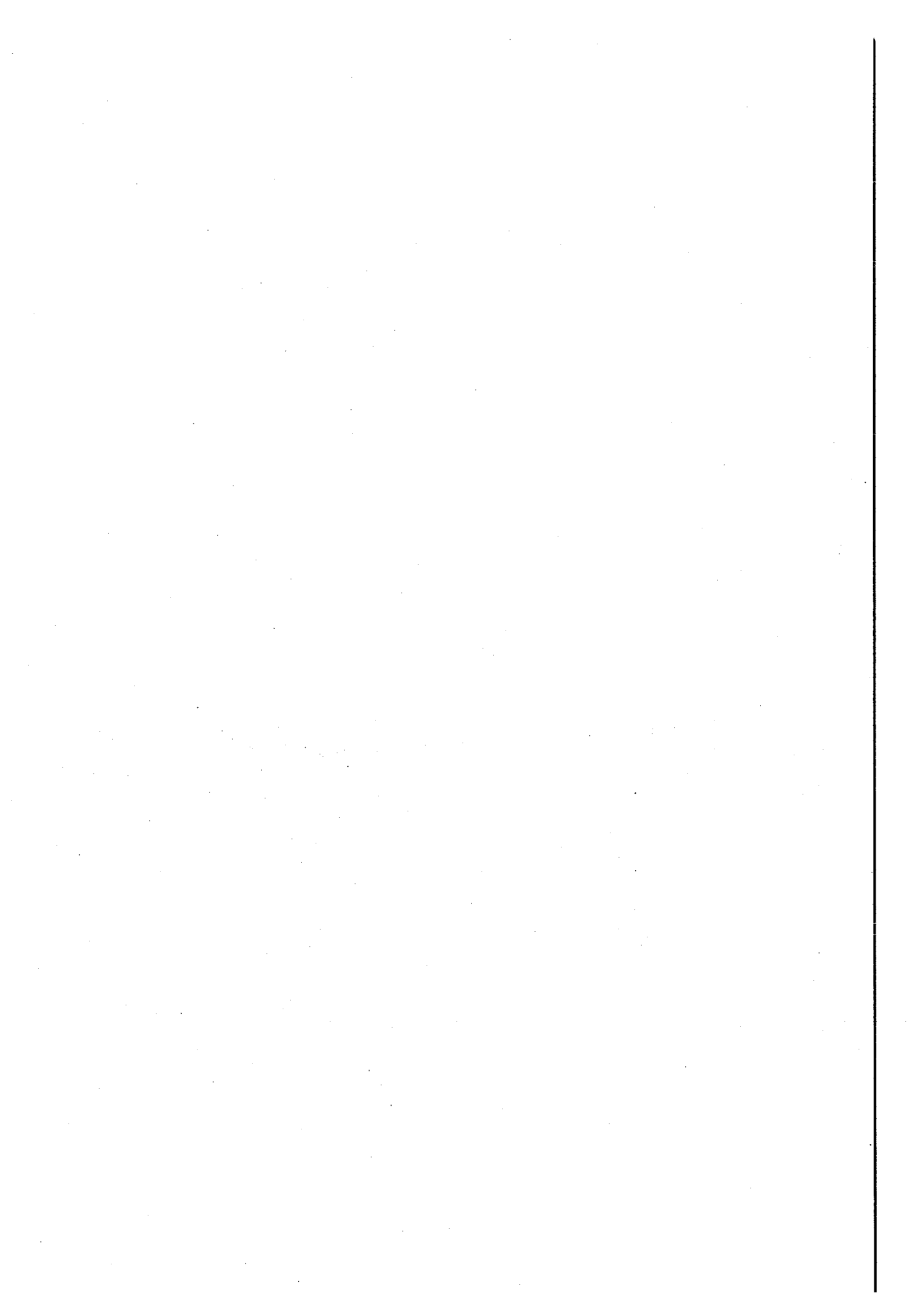
- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records;
- (c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Office during the year have been in accordance with this Act; and
- (d) as to such other matters arising out of the statements as the auditor considers should be reported to the Minister.

(3) The Minister shall cause the report and financial statements of the Board, together with the report of the auditor, to be laid before the Legislative Assembly within 6 sitting days of that Assembly after their receipt by the Minister.

34. The Administrator may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations





1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical tools employed.

3. The third part of the document presents the results of the study, including a comparison of the different methods and a discussion of the implications of the findings.

4. The fourth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

5. The fifth part of the document discusses the limitations of the study and the potential for further research in this area.

6. The sixth part of the document provides a detailed description of the experimental setup and the data collection process.

7. The seventh part of the document discusses the results of the data analysis and the statistical significance of the findings.

8. The eighth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

9. The ninth part of the document discusses the limitations of the study and the potential for further research in this area.

10. The tenth part of the document provides a detailed description of the experimental setup and the data collection process.

11. The eleventh part of the document discusses the results of the data analysis and the statistical significance of the findings.

12. The twelfth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

13. The thirteenth part of the document discusses the limitations of the study and the potential for further research in this area.

14. The fourteenth part of the document provides a detailed description of the experimental setup and the data collection process.

15. The fifteenth part of the document discusses the results of the data analysis and the statistical significance of the findings.

16. The sixteenth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

17. The seventeenth part of the document discusses the limitations of the study and the potential for further research in this area.

18. The eighteenth part of the document provides a detailed description of the experimental setup and the data collection process.

19. The nineteenth part of the document discusses the results of the data analysis and the statistical significance of the findings.

20. The twentieth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

21. The twenty-first part of the document discusses the limitations of the study and the potential for further research in this area.

22. The twenty-second part of the document provides a detailed description of the experimental setup and the data collection process.

23. The twenty-third part of the document discusses the results of the data analysis and the statistical significance of the findings.

24. The twenty-fourth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

25. The twenty-fifth part of the document discusses the limitations of the study and the potential for further research in this area.

26. The twenty-sixth part of the document provides a detailed description of the experimental setup and the data collection process.

27. The twenty-seventh part of the document discusses the results of the data analysis and the statistical significance of the findings.

28. The twenty-eighth part of the document concludes the study and provides a summary of the key findings and recommendations for future research.

29. The twenty-ninth part of the document discusses the limitations of the study and the potential for further research in this area.

30. The thirtieth part of the document provides a detailed description of the experimental setup and the data collection process.