



# Life Insurance Regulations 1995

made under the

*Life Insurance Act 1995*

## Compilation No. 22

<b>Compilation date:</b>	15 January 2015
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Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Life Insurance Regulations 1995* that shows the text of the law as amended and in force on 15 January 2015 (the *compilation date*).

This compilation was prepared on 20 January 2015.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw ([www.comlaw.gov.au](http://www.comlaw.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## **Part 1—Preliminary**

### **1 Name of regulations**

These regulations are the *Life Insurance Regulations 1995*.

#### **1.02 Commencement**

These Regulations commence on 1 July 1995.

#### **1.03 Definitions**

In these regulations:

*Act* means the *Life Insurance Act 1995*.

*CPI* means the Consumer Price Index number (being the weighted average of the 8 capital cities) published by the Australian Bureau of Statistics.

*Friendly Societies Code* has the meaning given by item 1 of Schedule 8 to the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*.

*transfer date* has the meaning given by section 2 of the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*.

## **Part 2—Explanation of key concepts**

### **2.01 Contract to pay annuity—term prescribed**

For the purposes of paragraph 9(1)(d) of the Act, the term of 10 years is prescribed as the term that the term of an annuity paid under a contract must exceed for the contract to constitute a life policy.



## **Part 2A—Special provisions relating to life companies that are friendly societies**

### **2A.01 Modifications of the Act in its application to friendly societies**

- (1) The Act is modified in its application to friendly societies (including jointly regulated friendly societies) as set out in Schedule 5.
- (2) The Act is further modified in its application to jointly regulated friendly societies as set out in Schedule 6.

Note: The Act applies to friendly societies subject to the provisions of Pt 2A of the Act. See also s 16ZC of the Act.

## **Part 2B—Special provisions relating to Australian branches of foreign life insurance companies**

### **2B.01 Eligible foreign life insurance company**

For paragraph 16ZD(1)(e) of the Act, the conditions are any of the following:

- (a) the body corporate:
  - (i) is authorised to carry on life insurance business in the United States of America; and
  - (ii) is incorporated in the United States of America;
- (b) the body corporate:
  - (i) is authorised to carry on life insurance business in New Zealand; and
  - (ii) is incorporated in New Zealand;
- (c) the body corporate:
  - (i) is authorised to carry on life insurance business in Japan; and
  - (ii) is incorporated in Japan;
- (d) the body corporate:
  - (i) is authorised to carry on life insurance business in Korea; and
  - (ii) is incorporated in Korea.

## **Part 4—Statutory funds of life companies**

### **4.00 Notice of establishment of statutory fund**

- (1) A notice under paragraph 33(1)(d) of the Act of the establishment of a statutory fund must contain particulars of:
  - (a) the classes of life insurance business to be carried on by the company within the fund; and
  - (b) the categories of life insurance business to be carried on by the company within each of those classes; and
  - (c) the kinds of policies to be written by the company within those categories; and
  - (d) proposed financing arrangements for the writing of new life insurance business to which the fund relates; and
  - (e) projections of the life insurance business to which the fund relates for whichever is greater of the following periods:
    - (i) the period of the financing arrangements for that business; or
    - (ii) 10 years; and
  - (f) a statement of the accuracy of the particulars referred to in paragraph (e) by the appointed actuary of the company.
- (2) For the purposes of subsection 33(2) of the Act, the notice must be given in writing within 14 days after establishment of the fund.
- (3) This regulation does not apply to a life company that is a friendly society.

### **4.00A Charges over the assets of statutory funds: derivative contracts (Act, s 38(3)(c))**

- (1) A life company may give a charge over, or in relation to, an asset of a statutory fund if:
  - (a) the charge is given in relation to a derivatives contract entered into:

Regulation 4.00A

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- (i) by, or on behalf of, the life company; or
  - (ii) by a broker on the instructions, or on account, of the company; or
  - (iii) by a broker for the benefit of the company; and
- (b) the charge is given in order to comply with the rules of an approved body (as defined in subregulation (2)) that requires the performance of obligations in relation to the derivatives contract to be secured; and
- (c) the life company has in place a risk management statement that sets out:
- (i) policies for the use of derivatives that include an analysis of the risks associated with the use of derivatives within the investment strategy of the company; and
  - (ii) controls on the use of derivatives that take into consideration the expertise of staff; and
  - (iii) compliance processes to ensure that the controls are effective (for example, reporting procedures, internal and external audits and staff management procedures); and
- (d) the investment to which the charge relates is made in accordance with the risk management statement.
- (2) In this regulation:

***approved body*** means a body mentioned in Schedule 7.

***derivative*** means a financial asset or liability the value of which depends on, or is derived from, other assets, liabilities or indices.

***derivatives contract*** means an options contract or a futures contract relating to any right, liability or thing.

**4.00B Charges over the assets of approved benefit funds (Act s 38(3)(c))**

- (1) This regulation applies to a friendly society whose approved benefit fund rules provide that the society may apply the assets of an approved benefit fund, or mortgage or charge those assets.
- (2) The friendly society may apply the assets of an approved benefit fund, or mortgage or charge those assets, if the application, mortgage or charge is made for the advantage of the approved benefit fund, in accordance with the approved benefit fund rules.
- (3) Subregulation (2) does not apply to a charge over, or in relation to, an asset of an approved benefit fund that satisfies the requirements of subregulation 4.00A(1).

**4.01A Prohibited investments**

For the purposes of paragraph 43(3)(d) of the Act, an investment of assets of a statutory fund of a life company in a subsidiary of that life company is prohibited if:

- (a) the assets of the company that are invested in that subsidiary exceed twice the sum of:
  - (i) if the company is not an eligible foreign life insurance company:
    - (A) the assets of the statutory fund that are invested in the subsidiary; and
    - (B) the assets of any other statutory funds of the company that are invested in the subsidiary; or
  - (ii) if the company is an eligible foreign life insurance company:
    - (A) the assets of the statutory fund that are invested in the subsidiary; and
    - (B) the assets of any other fund, approved by APRA, invested in the subsidiary; or

**Part 4** Statutory funds of life companies

**Regulation 4.01A**

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- (b) the assets of the statutory fund that are invested in that subsidiary are re-invested, whether directly or indirectly, through 1 or more interposed bodies corporate, trusts or partnerships, with a company that is related to the company (other than as a subsidiary).

## **Part 9—Transfers and amalgamations of life insurance business**

### **9.01 Copy of scheme for transfer etc to be given to APRA (and to PHIAC, and the Minister for Health and Aged Care, if required)**

For the purposes of paragraph 191(2)(a) of the Act, a copy of:

- (a) the scheme; and
  - (b) each actuarial report on which the scheme is based;
- must be given to APRA (and to PHIAC, and the Minister for Health and Aged Care, if required) before a notice of intention to apply to the Court for confirmation of the scheme is published in accordance with regulation 9.02.

### **9.02 Notice of intention to apply for confirmation of scheme**

- (1) For the purposes of paragraph 191(2)(b) of the Act, an applicant to the Court for confirmation of a scheme must publish a notice of intention to make the application, in a form approved by APRA:
  - (a) in the *Gazette*; and
  - (b) in one or more newspapers, approved by APRA, circulating in each State and Territory in which there is a register of life policies that includes the relevant policy of an affected policy owner.
- (2) A notice under subregulation (1) must:
  - (a) state that an affected policy owner may get a copy of the scheme from the place, within the times, and for the period, set out in subregulation (4); and
  - (b) give the address of each place at which a copy of the scheme may be obtained.
- (3) The notice must be published before the scheme is released for public inspection under subregulation (4).

### Regulation 9.03

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- (4) A copy of the scheme must be open for public inspection from 9.00 a.m. until 5.00 p.m. every day (except weekends and public holidays), for a period of at least 15 days, at:
- (a) an office of the applicant; or
  - (b) another location approved, in writing, by APRA;
- in each State and Territory in which there is a register of life policies that includes the relevant policy of an affected policy owner:

Note 1: A life company must have a register of life policies for each State and Territory in which it carries on life insurance business: subsection 226 (1) of the Act.

Note 2: An *affected policy owner* is the owner of a policy that is referable to a statutory fund affected by a scheme: subsection 191 (1) of the Act. However, for a jointly regulated friendly society an *affected policy owner* is the owner of a policy that is referable to a health benefits fund or approved benefit fund affected by a scheme: see Sch 6, item 40.

### 9.03 Application for confirmation of scheme

- (1) For the purposes of subsection 193(2) of the Act, an application to the Court for confirmation of a scheme may be made no earlier than whichever is the later of:
- (a) the day after the day on which the period referred to in subregulation 9.02(4) ends; or
  - (b) unless the Court dispenses with the need for compliance with paragraph 191(2)(c) of the Act—15 days after the approved summary of the scheme has been given to every affected policy owner under that paragraph.

Note: The Court may dispense with the need to comply with paragraph 191(2)(c) of the Act in relation to a particular scheme if it is satisfied that, because of the nature of the scheme or the circumstances attending its preparation, it is not necessary that the paragraph be complied with: subsection 191(5) of the Act.

### 9.04 Documents to be lodged with APRA

- (1) For the purposes of subsection 197(1) of the Act, a company to which life insurance business is transferred, or with whose life
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insurance business any part of the business of another company is amalgamated must give APRA the following documents:

- (a) a statement of the nature and terms of the transfer or amalgamation;
  - (b) a certified copy of each of the following documents:
    - (i) the scheme providing for the transfer or amalgamation;
    - (ii) an actuarial report, or other report, on which the scheme, and the agreement or deed, are founded;
    - (iii) the agreement or deed under which the transfer or amalgamation is effected;
    - (iv) the Court order confirming the scheme;
    - (v) a statement of the assets and liabilities of each company associated with the transfer or amalgamation;
  - (c) a statutory declaration by the principal executive officer:
    - (i) setting out, in relation to the transfer or amalgamation:
      - (A) each payment made; and
      - (B) a reasonable estimate of each payment to be made; and
    - (ii) stating that he or she reasonably believes that no other payment has been made, or will be made, by, or with the knowledge of, a party to the transfer or amalgamation.
- (2) For the purposes of subsection 197(2) of the Act, and subject to subregulation (3), the documents must be lodged within 30 days after the transfer or amalgamation is completed.
- (3) A company may apply, in writing, to APRA, before the end of the period referred in subregulation (2), for an extension of the time in which to lodge the documents.
- (4) If APRA believes that the company cannot reasonably provide the documents within the period referred to in subregulation (2), APRA must, within 14 days of receiving an application:
- (a) give an extension, of no longer than 30 days, to the company, to provide the documents; and
  - (b) so inform the company in writing.

## **Part 10—Provisions relating to policies**

### **10.01 Assignment of life policy—prescribed form**

For the purposes of paragraph 200(2)(a) of the Act, Form 2 in Schedule 4 is prescribed as the form of memorandum of transfer for the purpose of assigning rights under a life policy (other than a policy that is issued by a friendly society).

### **10.02 Notice of change of trustee of life policy**

For the purposes of subsection 203(2) of the Act, a notice that a person is the trustee of a life policy must be in the form of a statutory declaration.

### **10.04 Division 4 of Part 10 of the Act to apply to certain life policies with modifications (Act, s 206(3))**

Division 4 of Part 10 of the Act (relating to surrender values, paid-up policies and non-forfeiture of policies) applies to a class of life policies specified in an item in Schedule 2 subject to the modifications specified in that item.

### **10.05 Interest on overdue premiums—prescribed terms**

For the purposes of subsection 210(3) of the Act, the least favourable terms on which interest may be charged on overdue premiums is the interest rate worked out by the following formula:

$$(XYB + 3)\%$$

where:

*XYB* is the mean, rounded to the lower 0.25%, of the 10 year Treasury Bond yields (as shown in figures supplied by the Reserve Bank of Australia) at the end of each of the 6 successive half financial years ended before the date of calculation.

**10.05A Unclaimed money—statements**

- (1) For the purposes of this regulation:
  - (a) a statement that contains 50 or more items must be recorded on computer disk; and
  - (b) a statement that contains less than 50 items must be recorded either in writing or on computer disk.
  
- (2) A statement under subsection 216(1) of the Act of unclaimed money as at the end of a calendar year:
  - (a) if it is in writing—must be in accordance with Form 3 in Schedule 4; or
  - (b) if it is recorded on computer disk—must contain particulars of the number and total value of unclaimed policies and particulars, for each policy for which money is unclaimed, of:
    - (i) the policy number; and
    - (ii) the full name of the life or lives insured; and
    - (iii) the last known address of the life or lives insured; and
    - (iv) the full name of the policy owner; and
    - (v) the last known address of the policy owner; and
    - (vi) the amount due to the policy owner; and
    - (vii) the date the amount became due; and
    - (viii) the State or Territory for which the policy is registered.
  
- (3) A statement under subsection 216(4) of the Act of money paid between the end of the calendar year and the date on which the statement is given to ASIC:
  - (a) if it is in writing—must be in accordance with Form 4 in Schedule 4; or
  - (b) if it is recorded on computer disk—must contain particulars of the number and total value of policies claimed and particulars, for each policy for which money has been paid, of:
    - (i) the policy number; and
    - (ii) the full name of the claimant; and

Regulation 10.05AA

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- (iii) the date of the claim; and
  - (iv) the date the claim was paid; and
  - (v) the amount paid.
- (4) A statement recorded on computer disk must be accompanied by a lodgment form in accordance with Form 5 in Schedule 4.
- (5) A life company must notify ASIC in writing if there is no unclaimed money.

**10.05AA Unclaimed money—interest payable**

- (1) This regulation sets out how to work out the interest for paragraph 216(7A)(a) of the Act.
- (2) If the unclaimed money is paid to the Commonwealth in more than one payment, the interest is to be worked out separately for each payment.
- (3) The interest is to be worked out for the period (the *interest period*) that:
- (a) starts on the later of:
    - (i) 1 July 2013; and
    - (ii) the day when the unclaimed money was paid to the Commonwealth; and
  - (b) ends on the 14th day after the Treasurer last authorised the unclaimed money to be paid under subsection 216(7) of the Act.
- (4) The interest is to be worked out by adding together the interest for each financial year during the interest period.
- (5) The interest for each financial year is worked out using the following formula, and rounding the result to the nearest cent:

$$\frac{\text{Amount} \times \text{Days interest payable} \times \text{Interest rate}}{\text{Days in the financial year}}$$

where:

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**Regulation 10.05B**

**amount** means the amount of unclaimed money plus the interest (if any) worked out for each earlier financial year for which interest is payable.

**days interest payable** means the number of days in the financial year for which interest is payable.

**days in the financial year** means the number of days in the financial year.

**interest rate**, for a financial year, means:

- (a) the percentage change in the All Groups CPI between the 2 March quarters most recently published before the first day of the financial year (rounded up to 4 decimal places); or
- (b) if that percentage change is less than 0%—0%.

**10.05B Public notice of unclaimed moneys**

ASIC may publish, in any form, information contained in a statement given to ASIC for the purposes of section 216 of the Act, by including any or all of the particulars given in the statement in relation to the unclaimed moneys.

**10.06 Calculation of net claim value of policy**

- (1) For the purposes of subsection 223(2) of the Act, the net claim value of a policy:
  - (a) that has matured; or
  - (b) under which the life insured has died;is the amount payable in respect of the claim on the happening of the contingency, less the amount of any debt owed to the relevant life company under, or secured by, the policy, at that time.
- (2) For the purposes of that subsection, the net claim value of a policy, other than a policy described in subregulation (1), at a particular time, is the amount payable in respect of the claim as if the policy had voluntarily been terminated at that time, less the amount of any debt owed to the relevant life company under, or secured by, the policy, at that time.

## Part 11—Miscellaneous

### 11.01 Fee for inspection or copying of documents

- (1) For the purposes of subsection 243(2) of the Act, a fee of \$10 is prescribed as the fee to inspect a financial statement or an annual statistical return given to APRA under subsection 118(2) of the Act.
- (2) Subject to subregulation (3), for the purposes of that subsection, a fee of \$1 a page is prescribed as the fee for copying the whole, or part of, a document referred to in subregulation (1).
- (3) In relation to a particular request to copy documents of a company in respect of a financial year, if the fee payable under subregulation (2) would exceed \$60, the maximum fee payable for that copying is \$60.

## Part 13—Dictionary

### 13.02 Definition of *superannuation policy*—dictionary

For the purposes of paragraph (b) of the definition of *superannuation policy* in the Schedule to the Act, a life policy included in any of the following kinds of policies is declared to be a superannuation policy for the purposes of the Act:

- (a) a policy of any of the following kinds that is maintained for the purposes of superannuation or retirement:
  - (i) an immediate annuity policy;
  - (ii) a deferred annuity policy;
  - (iii) an allocated annuity policy;
- (b) a policy that is owned by the trustee of a scheme, being a scheme that is:
  - (i) an approved deposit fund; or
  - (ii) a pooled superannuation trust;
- (c) an RSA (within the meaning of the *Retirement Savings Accounts Act 1997*).

## Schedule 2—Modification of Division 4 of Part 10 of the Act (Surrender values, paid-up policies and non-forfeiture of policies)

(regulation 10.04)

Item	Class of life policy	Description of policy within the class	Modification of application of Division 4 of Part 10 of the Act
1	Increased ordinary	An ordinary policy under which the contract of insurance (the <i>original contract</i> ) is varied at the request of the policy owner, by increasing: (a) both the amount of the sum insured and the amount of each premium; or (b) if additional amounts of premium are paid—the amount of the sum insured.	Section 210 of the Act is taken to apply to an increase of the original contract as if the increase were a policy: (a) that was effected on the date of the increase; and (b) under which the sum insured is the amount of the increase; and (c) under which the period for which premiums have been paid started on the date of the increase.
2	Industrial	A policy that, immediately before the commencement of the Act, was an industrial policy within the meaning of subsection 4 (1) of the <i>Life Insurance Act 1945</i> and that is treated as ordinary business under the Act.	Despite section 210 of the Act, section 101 of the <i>Life Insurance Act 1945</i> , as in force immediately before the commencement of the Act, continues to apply to policies to which that section applied at that time.



## **Schedule 4—Forms**

### **Form 2—Memorandum of transfer for assigning rights under a life policy**

(regulation 10.01)

*Life Insurance Act 1995*

<b>Date of transfer</b>	<b>Signature of transferor</b>	<b>Signature of transferor's witness</b>	<b>Full name of transferee</b>	<b>Address of transferee</b>	<b>Occupation of transferee</b>	<b>Signature of transferee</b>	<b>Signature of witness of transferee</b>	<b>Date of transfer of registration by the life company</b>	<b>Signature of principal executive (or authorised person) of the life company</b>
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Compilation No. 22

Compilation date: 15/1/15

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**Schedule 4** Forms

**Form 3** Statement of unclaimed money

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**Form 3—Statement of unclaimed money**

(paragraph 10.05A(2)(a))

*Life Insurance Act 1995*

Year ended:

Company:

Contact officer:

Telephone:

<b>Policy number</b>	<b>Life insured: surname, given names, address</b>	<b>Policy owner: surname, given names, address</b>	<b>Amount due</b>	<b>Date amount became due</b>	<b>State where policy registered</b>
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Signed:

Dated:

(Principal Executive Officer of the life company or a person authorised by the Principal Executive Officer)

## **Form 4—Statement of money paid after the end of the calendar year**

(paragraph 10.05A(3)(a))

*Life Insurance Act 1995*

Year ended:

Company:

Contact officer:

Telephone:

<b>Policy number</b>	<b>Claimant: surname, given names</b>	<b>Date claimed</b>	<b>Date paid</b>	<b>Amount paid</b>
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Signed:

Dated:

(Principal Executive Officer of the life company or a person authorised by the  
Principal Executive Officer)

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Compilation date: 15/1/15

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## Form 5—Unclaimed money disk lodgment form

(subregulation 10.05A(4))

*Life Insurance Act 1995*

Unclaimed money for year ended:

Company:

Return address:

Contact officer:

Telephone:

Number of disks:

Creation date:

Original or replacement:

**Number**

**Value**

Unclaimed policies at the end of the year:

Policies claimed since the end of the year:

Certification: The information contained on the accompanying disks is that required by section 216 of the *Life Insurance Act 1995* as the statement of unclaimed money, and money paid after the end of the calendar year.

Signed:

Dated:

(Principal Executive Officer of the life company or a person authorised by the Principal Executive Officer)

## **Schedule 5—Modifications of the Act in relation to friendly societies**

(regulation 2A.01)

**1 Section 15**

*omit*

**2 Paragraph 30(f)**

*substitute*

(f) surpluses in an approved benefit fund may only be distributed in accordance with section 56.

**3 Subsection 35(1)**

*omit*

**4 Subsection 35(2)**

*omit*

A policy document

*insert*

Approved benefit fund rules

**5 Subsections 35(3), (4) and (5)**

*omit*

**6 Paragraph 36(b)**

*omit*

**7 Paragraph 38(2)(c)**

*omit*

Division 6

*insert*

Division 5

**8 Subsection 38(7)**

*omit*

or 6.

*insert*

or 5.

**9 Subsection 45(1)**

*omit*

or 6.

*insert*

or 5.

**10 Part 4, Divisions 5 and 6**

*substitute*

**Division 5 Distribution of surplus in approved benefit fund**

**56 Distribution of surplus**

- (1) If the appointed actuary of a friendly society advises the society, in writing, that there is a surplus in an approved benefit fund of the society, the society may, if the rules of the approved benefit fund so provide, do 1 or more of the following:
  - (a) pay, apply or allocate all or part of the surplus to the members of the approved benefit fund;
  - (b) transfer all or part of the surplus to another approved benefit fund of the society;
  - (c) transfer all or part of the surplus to the management fund of the society.
- (2) If the surplus includes an asset other than money, the value of the asset is the fair value of the asset determined in accordance with subsection 45(3).

- (3) A distribution under subsection (1) must comply with any applicable prudential standard.

**14 Sections 75 and 76**

*substitute*

**75 Financial records—friendly societies**

A friendly society must keep such records of the income and outgoings of the management fund and each approved benefit fund of the society as will record properly the affairs and transactions of the society in respect of each fund.

**15 Section 81**

*omit*

If a life company

*insert*

- (1) If a friendly society

**16 Section 81**

*insert*

- (2) However, unless Prudential Rules, prudential standards or reporting standards otherwise require, subsection (1) does not apply to the treatment of an asset of the management fund of the friendly society.

**17 Paragraph 82(5)(c)**

*substitute*

- (c) be given to APRA:
- (i) for financial statements prepared for subsection (1)—within the period required by subsection 118(3); and
  - (ii) in any other case—within 3 months after the time as at which they are prepared.

**22 Subsection 134(4)**

*substitute*

- (4) A direction to a friendly society ceases to have effect if:
- (a) an order is made for the winding-up of the society; or
  - (b) a special resolution is passed for the voluntary winding-up of the society under subsection 180(2), and APRA:
    - (i) is notified of the special resolution; and
    - (ii) gives written permission to the society for the direction to cease to have effect.

**23 Subsection 150(9)**

*substitute*

- (9) A direction to a friendly society ceases to have effect if:
- (a) an order is made for the winding-up of the society; or
  - (b) a special resolution is passed for the voluntary winding-up of the society under subsection 180(2), and APRA:
    - (i) is notified of the special resolution; and
    - (ii) gives written permission to the society for the direction to cease to have effect.

**24 Subsection 198(1)**

*omit*

or policy document

**25 Paragraph 201(1)(b)**

*omit*

or endorsed on the policy



**26 Subsection 213(2)**

*omit everything after paragraph (b), insert*

the company may register the applicant as the owner of the policy, provided that the approved benefit fund rules allow for registration in the circumstances mentioned in paragraph 213 (1)(a) and that the requirements of the rules are followed.

**27 Subsection 213(3)**

*omit*

The company may endorse the policy

*insert*

However, the company may register the applicant

**28 Part 10, Division 7**

*omit*

**29 Subsection 226(1)**

*substitute*

- (1) A friendly society must keep a register of members for each approved benefit fund of the society.
- (1A) The register must include:
- (a) the name and address of each member of the approved benefit fund; and
  - (b) the date of each member's admission to membership; and
  - (c) for each membership terminated—the date and circumstances of the termination.
- (1B) The register must be kept in parts so that the information for a member living in a particular State or Territory is kept in a part of the register for that State or Territory.
- (1C) A society that, immediately before the transfer date, did not keep its register in parts as described in subsection (1B) must comply with that subsection:

- (a) within 18 months starting on the transfer date; or
- (b) a longer period that APRA, in writing, allows.

**30 Section 227**

*omit*

**31 Subsection 229(2)**

*omit*

**32 Section 242**

*omit*

**33 Schedule—Dictionary, after definition of *friendly society***

*insert*

***health benefits fund***, for a friendly society, means a health benefits fund conducted by a society that is a registered health benefits organisation under the *National Health Act 1953*.

Note: Income from the health insurance business of a registered health benefits organisation is to be credited to its health benefits fund: see s 68 of the *National Health Act 1953*.

**34 Schedule—Dictionary, after definition of *life policy***

*insert*

***management fund***, for a friendly society, means the fund of the society that consists of the assets and liabilities of the society that do not form part of an approved benefit fund, or of a health benefits fund (if any), of the society.

**35 Schedule—Dictionary, after definition of *spouse***

*insert*

***SSA*** has the meaning given by item 1 of Schedule 8 to the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*.

**36 Schedule—Dictionary, after definition of *trade union***

*insert*

*transfer date* has the meaning given by the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999*.

## Schedule 6—Further modifications of the Act in relation to jointly regulated friendly societies

(regulation 2A.01)

### 1 After subsection 127(1)

*insert*

- (1A) The Regulator may appoint a person who is eligible to be appointed as an inspector under section 82R of the *National Health Act 1953* as an authorised person for the purposes of the application of a specified provision of this Act to the health insurance business of a jointly regulated friendly society.

### 2 Paragraph 130(c)

*substitute*

- (c) conditions on the registration of the company; and
- (d) the *National Health Act 1953*; and
- (e) regulations made under that Act; and
- (f) conditions on the registration of the company under that Act; and
- (g) directions given to the company by the Minister under that Act.

### 3 After subsection 131(1)

*insert*

- (1A) In subsection (1), **business** includes health insurance business.

**4 Before section 134**

*insert*

**133B Definitions for Division 3**

In this Division:

*life insurance business* includes health insurance business.

*policy* includes a health insurance policy.

**5 After subsection 134(1)**

*insert*

(1A) For subsection (1):

- (a) a direction applies to an asset of the health insurance business of a company that is a jointly regulated friendly society only if the direction was given because of liabilities of the health insurance business of the society; and
- (b) a direction applies to an asset of the life insurance business of a company that is a jointly regulated friendly society only if the direction was given because of liabilities of the life insurance business of the society.

(1B) APRA must not give a direction under subsection (1) in relation to an asset of the health insurance business of a jointly regulated friendly society without the written approval of PHIAC or the Minister for Health and Aged Care.

**6 Subparagraph 136(b)(iii)**

*substitute*

- (iii) a condition imposed, under section 22, on the registration of the company; or
- (iv) the *National Health Act 1953*; or
- (v) regulations made under that Act; or
- (vi) conditions on the registration of the company under that Act; or

- (vii) directions given to the company by the Minister under that Act; or
- (viii) the *Private Health Insurance Incentives Act 1997*; or
- (ix) the *Private Health Insurance Incentives Act 1998*.

**7 After subsection 137(2)**

*insert*

- (3) However, the Regulator must not decide, under subsection (2), to investigate the health insurance business of a company that is a jointly regulated friendly society without the written approval of PHIAC or the Minister for Health and Aged Care.

**8 After section 138**

*insert*

**138A Investigation of jointly regulated friendly society**

The Regulator must not start an investigation under this Division in respect of a jointly regulated friendly society if an investigation in respect of the society is in progress under section 82R of the *National Health Act 1953*.

Note: It is intended that regulations under the *National Health Act 1953* will provide that an investigation of a jointly regulated friendly society must not be started under s 82R of that Act if an investigation of the society is in progress under this Division.

**9 Section 149**

*omit*

After an investigation

*insert*

- (1) After an investigation

**10 Section 149**

*insert*

- (2) For an investigation of the health insurance business of a company that is a jointly regulated friendly society, the summary must also be given to PHIAC and the Minister for Health and Aged Care and must include:
- (a) a statement of the Regulator's opinion on the question whether the company is, or is about to become, unable to meet its liabilities, and the facts on which that opinion is based; and
  - (b) the Regulator's recommendation about:
    - (i) the question whether the company should be permitted to continue to conduct the health benefits fund; and
    - (ii) the question whether the affairs of the company should be reorganised to enable it to better conduct the health benefits fund and, if so, the way in which they should be so reorganised; and
    - (iii) such other matters affecting the company or the interests of contributors to the health benefits fund conducted by the company as the Regulator thinks fit.
- (3) The Regulator may refer a report on the conclusions it reached as a result of an investigation of the health insurance business of a company to the Registration Committee established by section 70 of the *National Health Act 1953*.

**11 Paragraph 150(1)(c)**

*substitute*

- (c) has contravened a condition or direction applicable to it under this Act; or
- (d) has contravened:
  - (i) the *National Health Act 1953*; or
  - (ii) regulations made under that Act; or
  - (iii) conditions on the registration of the company under that Act; or

- (iv) directions given to the company by the Minister under that Act; or
- (v) the *Private Health Insurance Incentives Act 1997*; or
- (vi) the *Private Health Insurance Incentives Act 1998*.

**12 After subsection 150(1)**

*insert*

- (1A) The Regulator must not give a direction under subsection (1) that relates to the health insurance business of a jointly regulated friendly society without the written approval of PHIAC or the Minister for Health and Aged Care.

**13 Before section 157**

*insert*

**156G Definitions for Division 1**

In this Division:

***business*** includes health insurance business.

***policy*** means:

- (a) if the provision in which it occurs is being applied to, or for the purposes of, the health insurance business of a jointly regulated friendly society—a health insurance policy; and
- (b) if the provision in which it occurs is being applied to, or for the purposes of, the life insurance business of a jointly regulated friendly society—a policy that, by subsection 16F(1) or (2), is taken to be issued by a friendly society; and
- (c) if the provision in which it occurs is being applied to, or for the purposes of, all of the business of a jointly regulated friendly society—a policy mentioned in paragraph (a) or (b).



**14 After subsection 157(1)**

*insert*

- (1A) However, APRA must not apply to the Court under subsection (1) for an order that relates to the health insurance business of a jointly regulated friendly society without the written approval of PHIAC or the Minister for Health and Aged Care.

**15 After subsection 157(5)**

*insert*

- (6) On an application by a jointly regulated friendly society that relates to the health insurance business of the society, PHIAC and the Minister for Health and Aged Care are entitled to be heard.

**16 Paragraph 158(a)**

*substitute*

- (a) that the business of the company has been investigated under Division 3 of Part 7 of this Act or section 82R of the *National Health Act 1953*; and

**17 Subparagraphs 159(a)(ii) and (iii)**

*substitute*

- (ii) the company has failed to comply with any of the following that apply to it:
- (A) the prudential standards relating to solvency made by APRA under section 230A of the Act;
  - (B) a direction under section 230B in relation to solvency;
  - (C) a direction under section 73BE of the *National Health Act 1953*;
  - (D) a condition of registration under Division 3 of Part VI of that Act; or

**18 Paragraph 159(b)**

*omit*

life insurance

**19 Section 162**

*omit*

A company

*insert*

(1) A company

**20 Section 162**

*insert*

(2) However, subsection (1) does not apply to a jointly regulated friendly society if the judicial management relates only to its health benefits fund.

Note: Part VIA of the *National Health Act 1953* makes provision for judicial management of health benefits funds.

**21 After section 166**

*insert*

**166A Continued application of National Health Act**

The appointment of a judicial manager under this Part that relates to the health insurance business of a jointly regulated friendly society does not affect the continued operation of the *National Health Act 1953* in relation to the society or the obligation of the society to comply with that Act.

**22 After subsection 167(5)**

*insert*

- (6) PHIAC and the Minister for Health and Aged Care are entitled to be heard on an application that relates to the health insurance business of a jointly regulated friendly society.

**23 After subsection 169(2)**

*insert*

- (3) PHIAC and the Minister for Health and Aged Care are entitled to be heard on an application that relates to the health insurance business of a jointly regulated friendly society.

**24 After subsection 170(2)**

*insert*

- (3) PHIAC, or the Minister for Health and Aged Care, may ask a judicial manager for information about the conduct of a judicial management that relates to the health insurance business of a jointly regulated friendly society.
- (4) The judicial manager must comply with the request.

**25 After subsection 172(6)**

*insert*

- (7) PHIAC and the Minister for Health and Aged Care are entitled to be heard on any application made under subsection (1) or (2) that relates to the health insurance business of a jointly regulated friendly society.

**26 After paragraph 175(2)(a)**

*insert*

- (ab) to transfer the business, or part of the business, of the company to an organisation registered under the *National Health Act 1953*;

**27 After paragraph 175(2)(c)**

*insert*

(ca) to wind up the health benefits fund of the company under the *National Health Act 1953*;

**28 Subsection 175(4)**

*omit*

paragraph (2)(a), (b) or (d),

*insert*

paragraph 2(a), (ab), (b), (ca) or (d),

**29 Before section 180**

*insert*

**179A Definition for Division 2**

In this Division:

*policy*, in relation to a company that is a jointly regulated friendly society, includes a health insurance policy.

**30 After subsection 180(4)**

*insert*

(5) To avoid doubt, this section does not prevent the winding-up of the health benefits fund of a jointly regulated friendly society under Part VIA of the *National Health Act 1953*.

**31 Subsection 181(1)**

*omit*

subsection (2)

*insert*

subsections (2) and (2A)

**32 After subsection 181(2)**

*insert*

- (2A) However, APRA must not apply to the Court under subsection (1) for an order that a life company that is a jointly regulated friendly society be wound up without the written approval of PHIAC or the Minister for Health and Aged Care.

**33 After subsection 183(3)**

*insert*

- (4) PHIAC and the Minister for Health and Aged Care are entitled to be heard on an application that relates to the health insurance business of a jointly regulated friendly society.

**34 After subsection 184(4)**

*insert*

- (5) PHIAC and the Minister for Health and Aged Care are entitled to be heard on an application that relates to the health insurance business of a jointly regulated friendly society.

**35 After subsection 185(2)**

*insert*

- (3) PHIAC, or the Minister for Health and Aged Care, may ask a liquidator for information in writing about the winding-up of the health insurance business of a jointly regulated friendly society.
- (4) The judicial manager must comply with the request.

**36 After subsection 186(2A)**

*insert*

- (2B) If the company is a jointly regulated friendly society, the liquidator must also take account of health benefits fund rules of the society in making determinations under subsection (1), to the extent that those rules are consistent with any directions of the Court.

**37 Subsections 187(1), (2) and (3)**

*substitute*

---

- (1) Subject to this section, in the winding-up of a life company that is a jointly regulated friendly society, the assets of an approved benefit fund of the society and of the health benefits fund of the society must first be applied in accordance with the applicable Corporations Law in discharging debts and claims referred to in subsection 556(1) of that Law.
- (2) However, subsection (1) has effect only to the extent that debts or claims are liabilities that are referable to the business of the approved benefit fund or health benefits fund.
- (3) If any assets remain after the application of subsection (1), the assets must be applied according to the following rules:
  - (a) the assets of an approved benefit fund are to be applied:
    - (i) first, in discharge of policy liabilities of the company referable to the approved benefit fund; and
    - (ii) if any assets remain, in discharge of other liabilities that are referable to the business of the approved benefit fund;
  - (b) the assets of the health benefits fund are to be applied:
    - (i) first, in discharge of policy liabilities of the company referable to the health benefits fund; and
    - (ii) if any assets remain, in discharge of other liabilities that are referable to the business of the health benefits fund;
  - (c) if any assets of the funds remain after an application of assets according to paragraphs (a) and (b), the assets are to be applied in such manner as the Court directs;
  - (d) directions given for the purpose of paragraph (c) are to be such directions as the Court considers equitable, having regard to:
    - (i) the interests of the owners of policies referable to the approved benefit fund or funds; and
    - (ii) the interests of the owners of policies referable to the health benefits fund; and
    - (iii) the interests of creditors of the company whose debts have not been discharged by application of the assets according to subparagraphs (a)(ii) and (b)(ii).

**38 Subsection 188(1)**

*omit each mention of*

statutory fund

*insert*

health benefits fund or approved benefit fund

**39 After subsection 190(1)**

*insert*

(1A) However, no part of the health insurance business of a life company that is a jointly regulated friendly society may be:

(a) transferred to another organisation; or

(b) amalgamated with the business of another organisation;

except under a scheme confirmed by the Court.

**40 Subsection 191(1), definition of *affected policy owner***

*omit*

statutory fund

*insert*

health benefits fund or approved benefit fund

**41 Paragraph 191(2)(a)**

*after*

given to APRA

*insert*

(and to PHIAC and the Minister for Health and Aged Care if the scheme affects the health benefits fund of a jointly regulated friendly society)

**42 After subsection 192(2)**

*insert*

- (3) If the report relates to the health insurance business of a company that is a jointly regulated friendly society, APRA must give a copy of the report to PHIAC and the Minister for Health and Aged Care.

**43 After subsection 193(3)**

*insert*

- (4) PHIAC and the Minister for Health and Aged Care are entitled to be heard on an application that affects the health benefits fund of a jointly regulated friendly society.

**44 After subsection 197(1)**

*insert*

- (1A) If any part of the health insurance business carried on by a life company that is a jointly regulated friendly society is transferred to, or amalgamated with the business of, another organisation, the organisation must give APRA such documents as are required by the regulations to be given for subsection (1).

**45 After subsection 230A(5)**

*insert*

- (5B) APRA must not determine, vary or revoke a standard that relates only to life insurance companies that are jointly regulated friendly societies without the written approval of PHIAC or the Minister for Health and Aged Care.

**46 Subsection 230A(13), before definition of *Territory***

*insert*

***policy owner***, in relation to the health insurance business of a life company that is also a registered organisation under the *National Health Act 1953*, means a person who is a contributor to the health benefits fund of the organisation in accordance with the organisation's rules.



**47 After paragraph 230B(1)(a)**

*insert*

- (ab) the company has contravened:
- (i) the *National Health Act 1953*; or
  - (ii) regulations made under that Act; or
  - (iii) conditions on the registration of the company under that Act; or
  - (iv) directions given to the company by the Minister under that Act; or
  - (v) the *Private Health Insurance Incentives Act 1997*; or
  - (vi) the *Private Health Insurance Incentives Act 1998*; or

**48 After subsection 230B(9)**

*insert*

- (10) However, APRA must not give a direction under this section that relates to the health insurance business of a jointly regulated friendly society without the written approval of PHIAC or the Minister for Health and Aged Care.

- (11) In this section:

*policy owner*, in relation to the health insurance business of a life company that is also a registered organisation under the *National Health Act 1953*, means a person who is a contributor to the health benefits fund of the organisation in accordance with the organisation's rules.

**49 Schedule—Dictionary, before definition of *policy***

*insert*

*PHIAC* means the Private Health Insurance Administration Council established by section 82B of the *National Health Act 1953*.

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## Schedule 7—Approved bodies

(subregulation 4.00A(2), definition of *approved body*)

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<b>Item</b>	<b>Body</b>
1	ASX Clear Pty Limited
2	ASX Limited
5	ASX Clear (Futures) Pty Limited
6	Australian Securities Exchange Limited
7	American Stock Exchange Inc
8	The Amsterdam Stock Exchange
9	Belgium Futures and Options Exchange (BELFOX)
10	Board of Trade of the City of Chicago (CBOT)
11	Board of Trade of Kansas City, Missouri, Inc. (KCBT)
12	Bolsa de Derivados do Porto (The Portuguese Futures and Options Exchange) (BDP)
13	Bolsa de Mercadorias & Futuros (Commodities & Futures Exchange, Brazil) (BM & F)
14	Cantor Financial Futures Exchange (CFFE)
15	Chicago Mercantile Exchange (CME)
16	Coffee, Sugar and Cocoa Exchange, Inc. (CSCE)
17	Commodity Exchange Inc. (COMEX)
18	Copenhagen Stock Exchange (including FUTOP Clearing Centre (FUTOP))
19	Eurex Deutschland
20	Eurex Zurich
21	European Options Exchange (EOE)
22	Financial Futures Exchange Barcelona (MEFF-RF)
23	Financial Futures Exchange Madrid (MEFF-RV)
24	Financiele Termijnmarkt Amsterdam N.V. (Financial Futures Market Amsterdam) (FTA)
25	Frankfurt Stock Exchange
26	Helsinki Securities and Derivatives Exchange, Clearing House Limited

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<b>Item</b>	<b>Body</b>
27	Hong Kong Futures Exchange Ltd (HKFE)
28	The International Petroleum Exchange of London Ltd. (IPE)
29	The International Stock Exchange of the United Kingdom and the Republic of Ireland Limited
30	Italian Futures Exchange (MIF)
31	Italian Stock Exchange
32	Korea Futures Exchange (KOFEX)
33	Korea Stock Exchange (KSE)
34	Kuala Lumpur Commodity Exchange (KLCE)
35	Kuala Lumpur Options and Financial Futures Exchange (KLOFFE)
36	The London International Financial Futures Exchange Ltd. (LIFFE)
37	The London Securities and Derivatives Exchange Limited (OMLX)
38	Malaysia Monetary Exchange (MME)
39	Marché à Terme International de France (The French International Futures Market) (MATIF)
40	Marché des Options Négociables de Paris (Paris Traded Options Market) (MONEP)
41	Mercados de Futuros Financieros, SA (Spanish Financial Futures Market) (MEFFSA)
42	The Metal Market and Exchange Company Ltd. (London Metal Exchange) (LME)
43	Mid America Commodity Exchange (MIDAM)
44	Milan Stock Exchange
45	Minneapolis Grain Exchange (MGE)
46	The Montreal Exchange (ME)
47	NASDAQ National Market
48	New York Cotton Exchange (NCE)
49	New York Futures Exchange, Inc. (NYFE)
50	New York Mercantile Exchange (NYMEX)
51	New York Stock Exchange Inc
52	New Zealand Futures & Options Exchange Ltd. (NZFOE)

## Schedule 7 Approved bodies

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<b>Item</b>	<b>Body</b>
53	New Zealand Stock Exchange
54	OM Stockholm AB(OMS)
55	Osaka Securities Exchange (OSE)
56	Oslo Stock Exchange (OSLO)
57	Paris Bourse
58	Philadelphia Stock Exchange (PHLX)
59	Philadelphia Board of Trade (PBOT)
60	Singapore Commodity Exchange Limited (SICOM)
61	Singapore Exchange (SGX)
62	South African Futures Exchange (SAFEX)
63	The Stock Exchange of Hong Kong Limited
64	Tokyo Commodity Exchange for Industry (TOCOM)
65	Tokyo Grain Exchange (TGE)
66	Tokyo International Futures Exchange (TIFFE)
67	Tokyo Stock Exchange (TSE)
68	The Toronto Futures Exchange (TFE)
69	Toronto Stock Exchange
70	The Winnipeg Commodity Exchange (WCE)
71	Wiener Börse AG
72	Zurich Stock Exchange
73	A body that performs clearing house functions in relation to a body mentioned in items 5 to 59 ( <i>the second body</i> ) in accordance with the rules of the second body or a law of the country where the second body is situated

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**Endnote 1—About the endnotes**

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the amendment is set out in the endnotes.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

A = Act	orig = original
ad = added or inserted	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
am = amended	pres = present
amdt = amendment	prev = previous
c = clause(s)	(prev...) = previously
C[x] = Compilation No. x	Pt = Part(s)
Ch = Chapter(s)	r = regulation(s)/rule(s)
def = definition(s)	Reg = Regulation/Regulations
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislative Instruments	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LI = Legislative Instrument	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md) = misdescribed amendment	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

## Endnote 3—Legislation history

**Endnote 3—Legislation history**

<b>Number and year</b>	<b>FRLI registration or gazettal</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
141, 1995	15 June 1995	1 July 1995	
317, 1995	26 Oct 1995	26 Oct 1995	—
431, 1995	22 Dec 1995	1 Jan 1996	—
89, 1996	5 June 1996	5 June 1996	—
305, 1996	18 Dec 1996	18 Dec 1996	—
100, 1997	7 May 1997	7 May 1997	—
119, 1997	29 May 1997	2 June 1997 (r 1 and Gazette 1997, No S202)	—
239, 1997	10 Sept 1997	10 Sept 1997	—
191, 1998	30 June 1998	r 9 and 20: 30 June 1998 Remainder: 1 July 1998	—
146, 1999	30 June 1999	1 July 1999 (r 2 and Gazette 1999, No S293)	—
19, 2002	21 Feb 2002	11 Mar 2002 (r 2 and Gazette 2001, No GN42)	—
148, 2002	27 June 2002	30 June 2002	—
317, 2004	11 Nov 2004	1 Jan 2005 (r 2)	—
342, 2007	8 Oct 2007 (F2007L03937)	r 1–3 and Sch 1: 24 Sept 2007 (r 2(a)) Schedule 2: 1 Jan 2008	—
24, 2010	26 Feb 2010 (F2010L00391)	r 1–3 and Sch 1: 27 Feb 2010 (r. 2(a)) Sch 2: 26 Aug 2010	—
48, 2011	8 Apr 2011 (F2011L00588)	9 Apr 2011	—
193, 2011	21 Oct 2011 (F2011L02103)	31 Oct 2011	—

*Life Insurance Regulations 1995*

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Compilation No. 22

Compilation date: 15/1/15

Registered: 22/1/15

## Endnotes

### Endnote 3—Legislation history

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<b>Number and year</b>	<b>FRLI registration or gazettal</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
311, 2012	11 Dec 2012 (F2012L02401)	1 Mar 2013 (s 2(1)) and F2013L00297)	—
117, 2013	17 June 2013 (F2013L01010)	Sch 1 (items 7, 8): 18 June 2013	—
171, 2014	3 Nov 2014 (F2014L01468)	Sch 1 (items 6–8, 18): 12 Dec 2014 (s 2 items 2, 4) Sch 1 (item 13): 15 Jan 2015 (s 2 item 3 and C2015G00020)	—



**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1 heading</b>	
r 1.....	rs No 146, 1999
r 1.03.....	rs No 146, 1999 am No 117, 2013
<b>Part 2A heading</b> .....	
r 2A.01 .....	ad No 146, 1999
r 2A.02.....	ad No 146, 1999 rep No 342, 2007
r 2A.03.....	ad No 146, 1999 rep No 342, 2007
<b>Part 2B heading</b> .....	
r 2B.01 .....	ad No 317, 2004 rs No 311, 2012 am No 171, 2014
Part 3 heading .....	
r 3.01.....	rep No 342, 2007
r 3.02.....	am No 191, 1998 rep No 342, 2007
<b>Part 4 heading</b>	
r 4.00.....	ad No 317, 1995 am No 146, 1999
r 4.00A.....	ad No 191, 1998 am No 19, 2002
r. 4.00B.....	ad No 146, 1999
r 4.01.....	am No 342, 2007 rep No 48, 2011
r 4.01A.....	ad No 431, 1995 am No 317, 2004

## Endnotes

### Endnote 4—Amendment history

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<b>Provision affected</b>	<b>How affected</b>
r 4.01B.....	ad No 305, 1996 am No 100, 1997; No 191, 1998 rep No 342, 2007
r 4.02.....	ad No 317, 1995 rep No 146, 1999
Part 6 heading.....	rep No 342, 2007
<b>Part 9 heading</b>	
r 9.01.....	am No 191, 1998; No 146, 1999
r 9.02.....	am No 191, 1998; No 146, 1999
r 9.04.....	am No 191, 1998
<b>Part 10 heading</b>	
r 10.01.....	am No 146, 1999
r 10.03.....	rep No 191, 1998 ad No 146, 1999 rep No 148, 2002
r 10.05A.....	ad No 317, 1995 am No 191, 1998
r 10.05AA.....	ad No 117, 2013
r 10.05B.....	ad No 305, 1996 am No 191, 1998
<b>Part 11 heading</b>	
r 11.00.....	ad No 317, 1995 am No 191, 1998; No 317, 2004 rep No 24, 2010
r 11.01.....	am No 191, 1998
r 11.02–11.04.....	rs No 239, 1997 rep No 191, 1998
Part 12 heading.....	rep No 342, 2007
r 12.01.....	rep No 342, 2007
<b>Part 13 heading</b>	
r 13.01.....	am No 191, 1998

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## Endnote 4—Amendment history

<b>Provision affected</b>	<b>How affected</b>
	rep No 146, 1999
r 13.02.....	am No 119, 1997; No 191, 1998
Schedule 1 heading .....	am No 191, 1998; No 146, 1999; No 317, 2004 rep No 342, 2007
<b>Schedule 2 heading</b>	
Schedule 2.....	am No 89, 1996; No 191, 1998; No 342, 2007 rs No 24, 2010
Schedule 3 heading .....	am No 191, 1998; No 146, 1999 rep No 342, 2007
<b>Schedule 4 heading</b> .....	
Form 1 .....	am No 317, 1995 rep No 342, 2007
Form 3 .....	ad No 317, 1995
Form 4 .....	ad No 317, 1995
Form 5 .....	ad No 317, 1995
<b>Schedule 5 heading</b> .....	
	ad No 146, 1999 am No 342, 2007; No 24, 2010
<b>Schedule 6 heading</b> .....	
	ad No 146, 1999 am No 342, 2007
<b>Schedule 7 heading</b> .....	
	ad No 19, 2002 am No 193, 2011