

Country Fire Authority Act 1958

RETURN

Under section 80A of the Country Fire Authority Act 1958

NAME OF COMPANY/OWNER:	
	ACN/ABN:
of ADDRESS:	
CONTACT NAME:	TEL No: () EMAIL:

being *an insurance intermediary / the owner of the property insured certify that the total amount of the premium (including any commission or discount) of dollars cents (\$.) was paid to the Insurance Company on / / to *effect / renew the policy of insurance detailed below with respect to property in the country area of Victoria.

Policy in the Name of:
 Policy Number: Insurance or Class of Insurance:

Address of Property: Sum Insured: \$.....
 (attach list if necessary)

Excess/Deductible: \$..... Attachment Date: / / Expiry Date: / /

and I further certify that the portion of the total premium subject to contribution as set out in Column 3 of Schedule 3 of the Country Fire Authority (Contributions) Regulations 2009 is \$. and as required, I enclose \$. (portion of premium subject to contribution multiplied by applicable contribution rate) being the amount of contribution calculated in accordance with Section 80A of the Country Fire Authority Act 1958.

Signed..... Date: / /

* delete if not applicable.

COUNTRY FIRE AUTHORITY ACT 1958

80A Contributions by owners and insurance intermediaries

- (1) This section applies if property in the country area of Victoria is insured against fire with a person carrying on a business of insurance against fire, not being an insurance company required to make a return under section 77.
- (2) If this section applies, within 14 days after the owner of the property insured has paid the premium—
 - (a) the insurance intermediary through whom the insurance is arranged; or
 - (b) if the insurance is not arranged through an insurance intermediary or is arranged through an insurance intermediary who does not carry on business in Victoria, the owner of the property insured—
 must lodge with the Authority a return in the prescribed form showing the portion of the total amount of the premium paid to the insurance intermediary or insurance company as is properly attributable to insurance against fire.
- (3) The insurance intermediary or owner of the property insured must within 14 days after the owner of the property insured has paid the premium pay to the Authority as a contribution an amount equal to $\frac{C \times P}{T - (0.8C)}$ together with an amount equal to one per cent of the portion of the premium shown in the return lodged under subsection (2).

Penalty: 10 penalty units and an additional penalty of double the amount that would have been payable under this sub-section if this sub-section had been complied with.

- (3A) If the return under subsection (2) is lodged by an insurance intermediary, the gross premiums shown in the return must—
 - (a) include any commissions or discounts;
 - (b) include a notional premium for deductibles of \$10 000 or more calculated in accordance with the prescribed formula;
 - (c) exclude any amounts received or due to the insurance company in respect of re-insurance contracts or agreements.
- (3B) If subsection (3A)(b) applies, the return must include the prescribed details in the manner and form prescribed for the purposes of this subsection.
- (3C) For the purposes of this section, the return must include as a discount any reduction in gross premiums as a result of the use of net rating in relevant policies of insurance against fire issued by the insurance intermediary.
- (3D) In subsection (3C), *net rating* means any practice or device adopted by an insurance company involving the waiving of commission or brokerage by an insurance intermediary which has the effect of reducing the premium payable to the insurance company.
- (4) In subsection (3)—

"C" is the total amount required to be contributed to the Authority by insurance companies under section 76 in the year in which the insurance is effected or renewed;
 "P" is the amount comprising the portion of the premium shown in the return lodged under subsection (3);
 "T" is the total amount of the portions of gross premiums shown in the returns lodged by insurance companies under section 77—

- (a) for the previous preceding financial year, if the insurance is effected or renewed in the quarter of a financial year beginning 1 July; or
- (b) for the preceding financial year, if the insurance is effected or renewed in the quarter of a financial year beginning 1 October, 1 January or 1 April.

(see reverse side)

Country Fire Authority (Contributions) Regulations 2009

7 Portion of premium subject to contribution

- (1) The portion of the premium payable for an insurance or class of insurance that is properly attributable to insurance against fire in respect of property situated in the country area of Victoria is the portion set out in column 3 of Schedule 3 opposite the corresponding insurance or class of insurance in column 2 of that Schedule.
- (2) In this regulation *premium*—
- (a) includes—
- (i) a premium or extra premium received for all extensions to a class of insurance for extraneous risks of any kind; and
 - (ii) all administration charges; and
 - (iii) fire service levies; and
- (b) does not include—
- (i) an individual premium received solely in respect of combined fire and hail insurance on growing crops; and
 - (ii) however designated, liability, crime, plate glass, boiler explosion, motor vehicle, motorcycle, transit (excluding any static portion), marine hull, aviation hull, personal accident, livestock, and pluvius insurances; and
 - (iii) if fire is an excluded peril, electronic or machinery breakdown and general property insurance; and
 - (iv) a part of a premium for a class of policy that is subject to contribution if that part relates solely to an extension of the policy to include any other insurance referred to in subparagraphs (i), (ii) and (iii) in which the risk of fire is not an insured peril, and if the extension—
 - (A) is offered and given as an optional extra; and
 - (B) has a separate premium allocation; and
 - (C) is exclusive of all other policy sections.

SCHEDULE 3

Country Fire Authority Act 1958

Regulation 7

PORTION OF TOTAL PREMIUM SUBJECT TO CONTRIBUTION

Column 1	Column 2	Column 3
<i>Item</i>	<i>Classes of insurance subject to contribution</i>	<i>Portion of total premium subject to contribution</i>
1	any insurance on property that includes insurance against fire (whether expressly or otherwise and whether or not extended to include other risks) and includes consequential loss insurance, business interruption insurance or other similar classes of insurance but does not include insurance of a class specified in item 2, 3, 4, 5 or 6	80 per cent
2	any insurance on property construction or engineering installation or both that includes insurance against fire (whether expressly or otherwise and whether or not extended to include other risks), and includes consequential loss, business interruption, contractors' plant and machinery or any other similar or associated insurance	80 per cent
3	any insurance that solely covers risks that otherwise would be insured under item 1, 2 or 6	80 per cent
4	domestic and residential insurance but excluding where rated separately and offered and given as an optional extra premiums received for personal property or personal items insurance or both that must be included under item 5	40 per cent
5	any insurance that solely covers personal property or personal items or both (excluding insurance of a class specified in item 1, 2, 3, 4 or 6)	8 per cent
6	the static risk portion of the premium for any marine class of insurance or any other class of insurance that is confined to perils of the sea or air or confined to risks involving transportation on land or in the air (excluding storage incidental to transportation by sea, land or air) (Static risk includes all movements of goods, stock or material associated with processing or storage operations at any place)	80 per cent