

Occupational Licensing Act 2005

Occupational Licensing General Insurance Notice 2010

I, Kerrie Davidia Crowder, Administrator of Occupational Licensing, acting pursuant to section 27 of the *Occupational Licensing Act 2005*, hereby revoke the Occupational Licensing General Insurance Notice 2008, dated 23 December 2008, and the Occupational Licensing (Electrical Infrastructure) Insurance Notice 2009, dated 19 June 2009, and make the following Notice requiring licence holders to be covered by insurance of a type and to an amount specified in this Notice.

PART I – PRELIMINARY

1. Title of this Notice

This Notice may be cited as the “Occupational Licensing General Insurance Notice 2010”.

2. Purpose of this Notice

This Notice specifies the insurance required to be held by licence holders under the *Occupational Licensing Act 2005*.

3. Authorising provision

This Notice is made under section 27 of the *Occupational Licensing Act 2005*.

4. Commencement

This Notice takes effect on 7 April 2010.

5. Application of Acts Interpretation Act 1931

The *Acts Interpretation Act 1931* applies to this Notice.

6. Definitions

Schedule 1 defines terms for the purposes of this Notice.

7. Application of Notice

- (1) This notice applies to the holder of a -
 - (a) contractor’s licence granted pursuant to section 34(1)(a) of the Act; and
 - (b) practitioner’s licence granted pursuant to section 37(1)(a) of the Act where the holder of the practitioner’s licence is performing prescribed work gratuitously.
- (2) The holder of a licence to which this Notice applies is required to be covered by the insurance specified in this Notice.

8. Scope of coverage

A licence holder need not have the insurance required by this Notice, including insurance for new commercial projects, if it can be demonstrated to the satisfaction of the Administrator that some other form of insurance coverage, not less than is required by this Notice, exists.

9. Overview of the required insurance

- (1) A licence holder specified in clause 7 of this Notice, in relation to any prescribed work (or proposed prescribed work) –
 - (a) must be covered by insurance that indemnifies the licence holder for any liability in respect of that work that the licence holder is required to be indemnified for by Part 2; and
 - (b) must be indemnified by that insurance for the amount required by Part 2.

PART 2 - LIABILITY AND AMOUNT TO BE COVERED

10. Liability that must be covered and the amount of insurance required for prescribed work

A licence holder as specified in clause 7 of this Notice must have Public and Products Liability Insurance covering liability for personal injury and damage to property for an amount of at least \$5,000,000 for any one occurrence in respect of Public Liability and in the annual aggregate in respect of Products Liability.

11. Transitional provision

A licence holder is not required to comply with this Notice in respect of the issue of a policy relating to prescribed work if that prescribed work is covered by a policy that was issued before the commencement of this Notice and that policy complies with this Notice.

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Schedule I – Definitions Applying To This Notice

In this Notice –

“prescribed work” means, for the purposes of this Notice, any work that by virtue of the determination of the Administrator may only be lawfully performed by the holder of a licence.

Kerrie Crowder
Administrator Occupational Licensing
31 March 2010