

FREEDOM OF INFORMATION STATEMENT



Updated April 2021



**Insurance Commission
of Western Australia**

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FOREWORD

The Insurance Commission of Western Australia (Insurance Commission) is committed to reducing red tape so that businesses and individuals waste less time and money on unnecessary processes and will, where it is possible and lawful to do so, provide relevant information without requiring a formal Freedom of Information (FOI) request.


Where it is necessary for an FOI request to be made, or where a member of the public refers to the FOI process, the Insurance Commission will respond within the timeframes required by the *Freedom of Information Act 1992*.

The *Freedom of Information Act 1992* (the Act) gives members of the public the right to access documents held by the Insurance Commission and offers a means to ask for amendments of personal information which is inaccurate, incomplete, out-of-date or misleading.

The Insurance Commission is committed to assisting people who choose to exercise their rights under the Act.

This FOI Statement was prepared in accordance with section 94 of the Act, and is published in accordance with section 96 of the Act.

We welcome any feedback on this Statement and our FOI processes so that we may continually improve our performance.

A handwritten signature in blue ink, appearing to read 'R. Whithear', with a stylized flourish at the end.

ROD WHITHEAR
CHIEF EXECUTIVE

CONTACT DETAILS

Office Location

Level 13 Forrest Centre
221 St Georges Terrace
PERTH WA 6000

Postal Address

GPO Box U1908
PERTH WA 6845

Telephone

+61 8 9264 3333
1800 643 338 (free call from country areas)

Office Hours

Monday - Friday
8am - 5pm

E-mail

foi@icwa.wa.gov.au
public.relations@icwa.wa.gov.au

Website

icwa.wa.gov.au

STRUCTURE AND FUNCTION

Who we are

The Insurance Commission is a Government Trading Enterprise and a statutory corporation owned by the Government of Western Australia.

Our enabling legislation is the *Insurance Commission of Western Australia Act 1986*.

The Insurance Commission administers the *Motor Vehicle (Third Party Insurance) Act 1943* and the *Motor Vehicle (Catastrophic Injuries) Act 2016*.

The responsible Minister is the Treasurer.

What we do

The Insurance Commission is primarily responsible for:

- underwriting and managing motor injury insurance;
- assessing and managing the risk and cost of claims made against the RiskCover Fund, the self-insurance arrangements for Government assets and employees;
- investing and managing funds to provide assets to meet insurance liabilities; and
- advising Government about insurance and liability matters.

The Insurance Commission manages and underwrites the following:

- Third Party Insurance Fund;
- Motor Vehicle (Catastrophic Injuries) Fund; and
- Compensation (Industrial Diseases) Fund; and
- Insurance Commission General Fund.

The Insurance Commission also manages but does not underwrite the:

- RiskCover Fund;
- Government Insurance Fund;
- Employers' Indemnity Supplementation Fund (on behalf of WorkCover WA);
- Former Police Officers' Medical Benefit Scheme (on behalf of WA Police Force); and
- Indian Ocean Territories Motor Injury Insurance Scheme (on behalf of the Commonwealth).

EFFECTS OF OUR FUNCTIONS ON MEMBERS OF THE PUBLIC

The Insurance Commission's decision-making functions might affect:

- the premium rate paid by motorists for motor injury insurance;
- the fund contribution paid by Government Insurance insured agencies for workers' compensation, liability, property and others insurances;
- whether a claim is accepted or declined;
- the amount of money paid to claimants; and
- the amount of money paid to indemnify agencies for losses covered.

ARRANGEMENTS FOR PUBLIC PARTICIPATION

Direct your feedback about the Insurance Commission's services and suggestions for improvement to the Commission Secretary:

Insurance Commission of Western Australia
c/o Commission Secretary
GPO Box U1908
PERTH WA 6845

P: +61 8 9264 3333

E: public.relations@icwa.wa.gov.au

DOCUMENTS HELD BY THE INSURANCE COMMISSION

The Insurance Commission maintains a financial system including general ledger, accounts payable, accounts receivable and fixed assets. Access to these records by members of the public is not open, although specific information sought may be able to be extracted if requested.

In addition to electronic records, other information is held in the form of:

- fact sheets and information brochures;
- annual reports;
- corporate plans and budgets;
- administrative and governance documents of the Board and Committees;
- administrative and management information of the Insurance Commission;
- claims files that contain personal information about claimants and third parties and are not available to members of the public. Copies of specific documents may be provided upon request, for a fee; and
- internal administrative policies, procedures and manuals.

Records are not necessarily kept indefinitely and are destroyed in line with a disposal authority.

HOW TO MAKE A FREEDOM OF INFORMATION APPLICATION

The *Freedom of Information Act 1992* (the Act) provides a general right of access to documents held by State and Local Government Departments and Authorities. Section 3 of the Act requires agencies to make available details about the kind of information they hold and enables the public to ensure that personal information held by government agencies about them is accurate and not misleading.

Freedom of Information (FOI) requests can be lodged in person, by post or by email:

Level 13, Forrest Centre
221 St Georges Terrace
PERTH WA 6000

GPO Box U1908
PERTH WA 6845

foi@icwa.wa.gov.au

Members of the public can make FOI enquiries and/or seek assistance from the FOI Officer by calling +61 8 9264 3434.

Members of the public can request to meet the FOI Officer at our office. Please contact us to make an appointment.

PROCESSING FOI APPLICATIONS

The Insurance Commission's FOI Officer is responsible for processing FOI applications in accordance with the Act. For all FOI related matters, the FOI Officer should be the initial point of contact.

The FOI Officer may arrange for the full or partial transfer of an FOI application to another Agency in accordance with section 15 of the Act. As set out in section 30, where the Insurance Commission assumes responsibility for making a decision about an application, the applicant is provided with a Notice of Decision, explaining the reasons for the agency's decision.

RIGHTS OF REVIEW

The Act provides that every applicant can request a review of the agency's decision. In accordance with sections 39 and 54 of the Act, members of the public may lodge written applications with the Insurance Commission requesting an internal review of a decision. In the event that the Insurance Commission's Chief Executive determined an outcome, the right of review is directed to the Information Commissioner.

Office of the Information Commissioner
Albert Facey House
469 Wellington Street
PERTH WA 6000

Telephone: +61 8 6551 7888
Fax: + 61 8 6551 7889
info@foi.wa.gov.au

If an applicant is dissatisfied with the results of an internal review, applicants may request the Information Commissioner to conduct an external review of the matter. The Information Commissioner may refer questions of law that arise in the course of dealing with a complaint to the Supreme Court.

FEES

Fees do not apply if making applications for personal information about yourself, for example, medical records or payslips.

Fees apply for FOI applications containing information about third parties, for example investigation reports or crash report forms. A \$30 fee is payable when lodging the application. Further fees may apply, as set out below:

- \$30 per hour to process an application;
- \$30 per hour for supervising access to documents, transcribing a recording or photocopying a document;
- 20 cents per page for photocopying; and
- the actual cost incurred of reproducing a DVD or other form of information as well as the cost of packaging and posting documents.

Internal and external reviews do not attract fees. Time taken to locate documents is exempt from fee payment also.

Estimate of Charges

The Insurance Commission will notify an applicant if additional FOI application fees are likely to exceed \$25. Applicants must respond to the Insurance Commission within 30 days to confirm their intention to proceed with the application. Applicants facing financial hardship may apply for a 25% fee reduction.

FOI DECISION MAKING TIMEFRAMES

