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Contributions to *riskmatters* on any subject relating to insurance or risk management can be forwarded via email to trmf@treasury.tas.gov.au

Please note

TRMF Annual Report online

The 2006-07 TRMF Annual Report is now available in HTML and pdf format on the TRMF website. The report can be found under Annual Reports at:

www.treasury.tas.gov.au/trmf

Welcome

Welcome to the December 2007 edition of the Tasmanian Risk Management Fund (the TRMF) newsletter, *riskmatters*, published by the Department of Treasury and Finance.

The TRMF Unit receives a number of enquiries from agencies seeking clarification of the TRMF's position on cover for motor vehicles. Recently the queries have related to cover for vehicles being driven by someone other than an agency employee. This is discussed on page 2.

In this issue we have also included a summary of workers compensation law changes which took effect on 31 October 2007.

The members of the TRMF Unit would like to take this opportunity to thank TRMF agency representatives for their assistance throughout 2007, and to wish all subscribers a safe and merry Christmas.

Di Hope
Editor

Fund Administration Agent Tender

The evaluation of tenders for the provision of fund administration services to the Tasmanian Risk Management Fund has been completed, and Marsh Pty Ltd has been selected as preferred tenderer.

Subject to the finalisation of negotiations relating to the contract, Marsh will continue as Fund Administration Agent for three years from 1 July 2008, with two options to extend for a further two years.



Government motor vehicle cover

The TRMF Unit often receives queries from agencies about cover for government motor vehicles.

One question that is often asked is whether the Fund provides cover for government motor vehicles when driven by contractors.

The vehicle will be covered by the Fund, and the agency will be covered for any liability arising from the use of the vehicle, subject to the guidelines '*Policy and Guidelines for the Allocation and Use of Tasmanian Government Motor Vehicles*' issued by the Department of Premier and Cabinet which stipulate that:

- Head of Agency approval is required to authorise non-government personnel use of a government vehicle;
- drivers are subject to traffic laws and remain personally liable for any breach of those laws; and
- agencies must keep adequate records to enable identification of drivers.

The DPAC guidelines can be found at:

<http://www.dpac.tas.gov.au/divisions/execdivision/mvguidelines.html>

Please
note

Changes to agency cost codes

Agencies are reminded to keep their agency cost codes on STARS, the Fund Administration Agent's claims administration system, up to date.

Agency cost codes enable claims to be registered against the relevant location within agencies.

Obviously the value of the reports you receive from the Fund Administration Agent will depend on how the data has been categorised.

Contact Martin Broad at the Fund Administration Agent, Marsh Pty Ltd, on 6281 3133 to discuss further.

Significant changes to property assets

Agencies are reminded to contact the TRMF Unit if there has been a significant change to agency property assets.

A significant change is usually anything over 10 per cent of the total value of property reported in the most recent asset review but will depend on the nature of the asset.

The purchase or disposal of major assets should be reported to the TRMF Unit so that the Actuary can take this into consideration in the calculation of agency contributions.

Be prepared before you travel

Here are the things you should do before travelling overseas as a representative of your agency.

1. **Obtain an ACE Assistance Card.** ACE provides business travel insurance and emergency assistance on behalf of the TRMF. ACE Assistance Cards are available from your TRMF agency representative. (Agency representatives are listed on the TRMF website at www.treasury.tas.gov.au/trmf under 'Certificates of Currency'.)
2. **Ensure you have access to a claim form.** Claim forms are available from the TRMF website at www.treasury.tas.gov.au/trmf under 'Tools' or from the ACE Assistance website at www.aceassistance.com.
3. **Be prepared to record details of incidents and witnesses.** You will need this information to complete the claim form.

It is also important to note that the insurer may refuse to cover lost or damaged items if you have not reported the incident to the police or other appropriate authority.

Workers compensation law changes

Amendments to the *Workers Rehabilitation and Compensation Act 1988* were recently passed by Parliament and took effect on 31 October 2007. The changes make the system fairer for workers and employers and provide greater certainty for everyone.

The key changes affecting government agencies include:

- improved compensation for industrial deafness. In the past, some workers were unable to establish a claim for industrial deafness because their employer has failed to conduct baseline audiometric testing – the amendments have rectified this. The changes also clarify entitlement to medical and other benefits;
- a fairer method of calculating the rate of weekly compensation, especially for workers who have a short employment history and where the award does not include an 'ordinary-time rate of pay'. Difficulties for these workers were highlighted in the court's decision in *Thirroul Investments Pty Ltd v Foley* [2003] TASSC 89 (24 September 2003). The amendments redefine "normal weekly earnings" to allow earnings to be averaged over periods of employment of less than 12 months;
- addressing a Supreme Court decision that limited the ability of employers to recover compensation costs from a negligent third party;
- amending the work-relatedness test for injury from 'arising out of **and** in the course of' to 'arising out of **or** in the course of', so it is clear that injuries can be compensable even when symptoms only become apparent after the worker has left the relevant employment;
- providing mechanisms to ensure that payment of compensation is not delayed; and
- updating long service leave provisions to increase the number and forms of long service leave covered by the Act and to align long service leave provisions with the existing annual leave provisions.

TRMF meetings and notices

Occupational Health and Safety Working Group

An inter-agency Occupational Health and Safety Working Group holds meetings on an 'as required' basis, to share knowledge on occupational health and safety issues affecting government agencies.

The meetings are facilitated by the TRMF Unit.

If you would like further information about the Working Group, or would like to propose an issue for discussion, please contact Di Hope on 6233 6597 or e-mail the TRMF Unit at trmf@treasury.tas.gov.au

TRMF Steering Committee

The role of the TRMF Steering Committee is to serve as a consultative forum through which agencies can provide input into the operations of the Fund and feedback to Treasury, the Fund Administration Agent and the Actuary.

The Steering Committee is representative of the agencies participating in the Fund.

The next meeting will be held on Tuesday, **11 March 2008**.



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To register, contact the newsletter editor, Di Hope, at the Department of Treasury and Finance on (03) 6233 6597 or e-mail trmf@treasury.tas.gov.au