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## Authorisation to carry on insurance business

*Insurance Act 1973*

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TO: RealCover Insurances Pty Limited ACN 103 975 355 (the Applicant)  
30 - 32 Wentworth Avenue Sydney NSW 2000

SINCE the Applicant applied to APRA under subsection 12(1) of the *Insurance Act 1973* (the Act), on 17 December 2007 for authorisation to carry on insurance business in Australia;

I, Brandon Kong Leong Khoo, a delegate of APRA, under subsection 12(2) of the Act, AUTHORISE the Applicant to carry on insurance business in Australia, and under paragraph 13(1)(a) of the Act, IMPOSE the conditions set out in the Schedule attached to this Notice.

This Authorisation takes effect on 31 December 2008.

Dated 22 December 2008.

  
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Brandon Kong Leong Khoo  
Executive General Manager  
Specialised Institutions Division

TRIM NO 00c 08/16986  
APRA 08/005743  
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## Interpretation

In this Notice

**APRA** means the Australian Prudential Regulation Authority.

**insurance business** has the meaning given in section 3 of the Act.

*Note 1* Under subsection 12(4) of the Act, if APRA authorises an applicant, APRA must give written notice to the applicant and ensure that notice of the authorisation is published in the *Gazette*.

*Note 2* APRA may revoke an authorisation in accordance with sections 15 and 16 of the Act.

*Note 3* Under subsection 13(1) of the Act, APRA may, at any time, by written notice to a general insurer, impose conditions or additional conditions or vary or revoke conditions imposed on the insurer's authorisation under section 12 of the Act. The conditions must relate to prudential matters.

*Note 4* Under subsection 14(1) of the Act, a general insurer commits an offence if:

- (a) the insurer does an act or fails to do an act; and
- (b) doing the act or failing to do the act results in a contravention of a condition of the insurer's authorisation under section 12 of the Act; and
- (c) there is no determination in force under subsection 7(1) of the Act, that subsection 14(1) of the Act does not apply to the insurer.

The maximum penalty is 300 penalty units. Under subsection 14(1A) of the Act, where an individual commits an offence against subsection 14(1) of the Act, because of Part 2.4 of the *Criminal Code* or commits an offence under Part 2.4 of the *Criminal Code* in relation to an offence against subsection 14(1) of the Act, the individual is punishable, on conviction, by a fine not exceeding 60 penalty units. Under subsection 14(2) of the Act, an offence against section 14 of the Act, is an offence of strict liability.

*Note 5* Under subsection 13(6) of the Act, a decision to impose conditions on the Authorisation is a reviewable decision to which Part VI of the Act applies. If you are dissatisfied with this decision, you may seek reconsideration of the decision by APRA in accordance with subsection 63(2) of the Act. The request for reconsideration must be in writing, must state the reasons for the request, and must be given to APRA within 21 days after the decision first comes to your notice or within such further period as APRA allows. If dissatisfied with APRA's reconsidered decision confirming or varying the first decision, you may, subject to the *Administrative Appeals Act 1975*, apply to the Administrative Appeals Tribunal for review of the reconsidered decision.

The address where written notice may be given to APRA is L26, 400 George Street, Sydney NSW 2000.

## **Schedule - the conditions imposed on the Authorisation**

1. The Company must obtain APRA's written consent prior to any transfer or issue of shares.
2. The Company is only authorised to carry on insurance business for the purpose of providing professional indemnity and public liability insurance to real estate agents.

