Life Insurance Supervisory Levy Imposition Determination 2005

I, MAL BROUGH, Minister for Revenue and Assistant Treasurer, make this Determination under subsection 7 (3) of the Life Insurance Supervisory Levy Imposition Act 1998.

Dated 2005

Minister for Revenue and Assistant Treasurer

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1 Name of Determination
This Determination is the Life Insurance Supervisory Levy Imposition Determination 2005.

2 Commencement
This Determination commences on 1 July 2005.
3  **Revocation of Life Insurance Supervisory Levy Imposition Determination 2004**

The *Life Insurance Supervisory Levy Imposition Determination 2004* is revoked.

4  **Interpretation**

(1) In this Determination:

- **Act** means the *Life Insurance Supervisory Levy Imposition Act 1998*.
- **approved benefit fund** has the meaning given by subsection 16B (1) of the *Life Insurance Act 1995*.
- **benefit fund** has the meaning given by subsection 16B (1) of the *Life Insurance Act 1995*.
- **friendly society** has the meaning given by subsection 16C (1) of the *Life Insurance Act 1995*.
- **Friendly Society Quarterly General Return** means the Friendly Society Quarterly General Return in the Schedule to Prudential Rules No 48.
- **Prudential Rules No 26** means Prudential Rules No 26 *Collection of Statistics* which were made under subsection 252 (1) of the *Life Insurance Act 1995*.
- **Prudential Rules No 48** means Prudential Rules No 48 *Collection of Statistics — Friendly Societies* which were made under subsection 252 (1) of the *Life Insurance Act 1995*.

- **quarter**
  - (a) in relation to a life insurance company mentioned in subsection 6 (2) — has the same meaning as in rule 3 of Prudential Rules No 26; and
  - (b) in relation to a life insurance company mentioned in subsection 6 (3) — has the meaning determined by rules 3 and 4 of Prudential Rules No 48.
- **Statement of Assets** means the Statement of Assets in Form A of Schedule 1 to Prudential Rules No 26.
- **valuation day**, in relation to a life insurance company, means:
  - (a) if the company was a life insurance company at all times during the period from 17 March 2005 to 30 June 2005 — 31 March 2005; and
  - (b) if the company was not a life insurance company at all times during the period from 17 March 2005 to 30 June 2005 — the day, after 17 March 2005, on which it became a life insurance company.

(2) In this Determination, a reference to a period from a specified date to another specified date is a reference to a period that includes both of those dates.
5  **Amount of levy (Act s 7)**

For paragraphs 7 (3) (a), (b), (c) and (ca) of the Act, the table sets out matters for the 2005–2006 financial year:

<table>
<thead>
<tr>
<th>Item</th>
<th>Company</th>
<th>Maximum restricted levy amount $</th>
<th>Minimum restricted levy amount $</th>
<th>Restricted levy percentage</th>
<th>Unrestricted levy percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Life insurance company</td>
<td>700 000</td>
<td>470</td>
<td>0.00670</td>
<td>0.001027</td>
</tr>
<tr>
<td>2</td>
<td>Friendly society</td>
<td>700 000</td>
<td>470</td>
<td>0.00670</td>
<td>0.001027</td>
</tr>
</tbody>
</table>

6  **Asset value (Act s 7)**

(1) For paragraph 7 (3) (d) of the Act, a life insurance company’s asset value is to be worked out using subsections (2) to (5).

(2) If the life insurance company:

(a) was a life insurance company at all times from 17 March 2005 to 30 June 2005; and

(b) was required to lodge a Statement of Assets for the quarter ending on 31 March 2005;

then the company’s asset value is the sum of the amounts required to be reported in the following items in that Statement of Assets (being the value of the assets of the company’s statutory funds):

(c) the item TOTAL ASSETS in the column TOTAL in Part 1 — Assets backing Australian policy liabilities;

(d) the item TOTAL ASSETS in the column TOTAL in Parts 2 and 3 — Assets backing policy liabilities in an overseas country.

(3) If the life insurance company:

(a) was a life insurance company at all times from 17 March 2005 to 30 June 2005; and

(b) was required to lodge a Friendly Society Quarterly General Return for a quarter ending during the period from 17 March 2005 to 14 April 2005;

then the company’s asset value is the sum of the amounts required to be reported in row BB15 in Part B of that Return (being the value of the assets of the company’s benefit funds).

(4) In any other case, the life insurance company’s asset value is:

(a) if the company was a life insurance company other than a friendly society on the valuation day — the value of the assets of the company’s statutory funds as at the valuation day, worked out in the same way as the sum of the following items in the Schedule of Assets:

(i) the item TOTAL ASSETS in the column TOTAL in Part 1 — Assets backing Australian policy liabilities;
(ii) the item TOTAL ASSETS in the column TOTAL in Parts 2 and 3 — Assets backing policy liabilities in an overseas country; and

(b) if the company was a life insurance company and a friendly society on the valuation day — the value of the assets of the company’s benefit funds as at the valuation day, with the value of the assets of each benefit fund being worked out in the same way as for row BB15 in Part B of the Friendly Society Quarterly General Return.

(5) If subsections (2) and (3) both apply to a life insurance company, its asset value is to be worked out in accordance with subsection (2).