

# Australian Workers' Compensation

“Workers Compensation is a form of cover that provides compensation and medical care for employees who are injured in the course of employment”

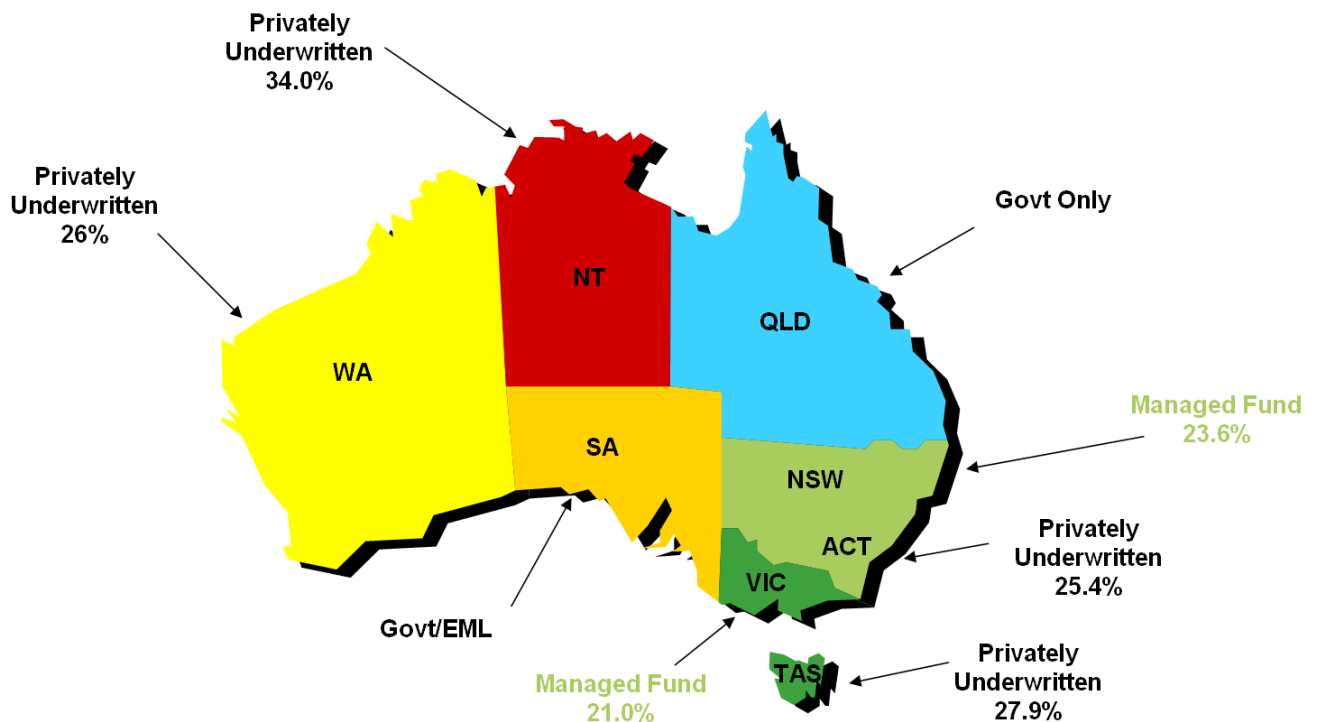
## Regulatory Framework

The Workers Compensation schemes are very heavily regulated and vary from jurisdiction to jurisdiction.

The role of private insurers and government authorities varies in each state and territory.

## Common Features

- Systems are generally “no fault”
- Insurance is mandatory
- Insurers cannot decline risks or restrict cover
- Pricing/Rates are regulated



## State/Territory Comparison

Fund States VIC & NSW – State Government funded schemes

Risk States WA, NT, TAS, ACT – Privately underwritten schemes

Administered by Authority QLD & SA – no insurer representation

### Risk States

Western Australia, the Australian Capital Territory, Tasmania and the Northern Territory are referred to as the Risk States. The risk in these states is underwritten by the Insurer and as such they are able to negotiate on rates.

To seek terms in the Risk States your Broker will have you complete a Quote Request Form and assist with the placement process.

### Fund States

Victoria and NSW are referred to as Fund States, the risk in these states is underwritten by the relevant State Government and rates and pricing is based on formulas provided by each states Authority.

There is no ability to negotiate with the Insurer. The Insurers in these states are referred to as Agents as the Authority insures the employers, the Insurer acts as an Agent on their behalf for the collection of premium and the management of claims.

Honan is able to assist you with any query or request and can arrange a review of your currently policies if required.

Honan utilise our preferred provider for Workers Compensation in each state. As such, we now have a dedicated National Account Manager that will deal with all queries and renewals for Honan clients.

Honan can therefore ensure the highest level of service and dedicated resources and assistance with additional services.

Please feel free to contact your Broker if you have any queries or if you wish to discuss how Honan can support your operations and help you to identify areas of improvement.

Honan Insurance Group

### **Victoria**

- To commence a policy in Victoria you will need to complete an Application Form
- Once a policy is commenced in Victoria it automatically renews at June 30 each year.

Your Broker will be able to provide the required Application Forms and Documentation and will be able to assist with any query you may have.

### **New South Wales**

- To commence a policy in NSW you will need to complete an Application Form
- Once a policy is commenced in NSW it automatically renews at June 30 each year.

Your Broker will be able to provide the required Application Forms and Documentation and will be able to assist with any query you may have.

### **Queensland**

In Queensland you will be required to apply directly with the Government Authority to apply for an accident insurance policy. It will only take about 20 minutes to set up a policy over the phone by calling 1300 362 128

You will be required to provide this information when you call:

- The full name of the employing entity (company, partnership, or individual)
- The expected date you will commence to employ
- Your Australian Business Number (ABN) (of the trustee if a trust is involved)
- Your Australian Company Number (ACN), if applicable
- The estimated wages for your business for the year from the date you commence to employ to 30 June
- Any previous associated business details, either yours or the
- Company's (for example previous policy numbers and policy names)
- Type of business
- Primary business activity
- Credit card details to pay your premium.

### **South Australia**

In South Australia, you will need to complete an employer registration with WorkSafe SA

Your Broker will be able to provide the required Application Forms and Documentation and will be able to assist with any query you may have.

## State & Territory Guidelines

### Australian Capital Territory

#### Key steps and dates

An Employer is required to give their insurer, with their application for renewal:

- A statutory declaration in relation to the insurance period stating the Employer's wage and salary estimate, the number of Workers in each category, the number of paid and unpaid workers, the approximate amount of time each Worker will work for that period, and;
- Within 30 days, a certificate from a recognised auditor stating the total wages for the previous policy

#### Employer deadlines

Within 30 days, the Employer must provide a certificate from a recognised auditor stating the total wages for the previous policy.

The policy renewal process

Each insurer has its own process for renewal, however, the process will be as follows:

- The insurer calculates the adjusted premium for the prior term
- Calculates the premium for the future term, and
- Mails the premium notice and invoices

#### Definition of a Worker

A Worker is an individual who has entered into, or works under, a contract of service with an Employer, whether the contract is expressed or implied, oral or written (s.8 of the Act).

A 'Contract of Service' exists where there is an Employer/Worker relationship. In a contract of service, the Worker is directly engaged by the Employer in employment. Most employment contracts are made under a 'Contract of Service'.

A 'Contract for Service' circumstance is where an individual performs work for the principal and personally does part or all of the work. A person who is employed under a 'Contract for Service' and works on a regular and systematic basis can be deemed to be a Worker.

#### Examples of Workers

Examples defining who is a Worker include casual employees employed through employment agencies (e.g. a baby sitter found through an agent rather than by the parents), regular contractors and casuals (e.g. regular and systematic gardeners, commission-based sales representatives on a contract, IT consultants, owner-driver truckies, taxi-drivers and brickies) religious workers and notified family members.

#### Who is not considered a Worker?

- A public servant
- An employee within the meaning of the Safety, Rehabilitation and Compensation Act
- A member of the Employer's family who lives in the Employer's home

## State & Territory Guidelines

### New South Wales

#### Key steps and dates

Invitation to renew Wages Declarations forwarded to employers 4-6 weeks prior to policy expiry.

Employer to return to their agent/insurer actual wages declaration for prior year and wage estimates for renewal year no later than two months after the renewal date of the policy.

The policy renewal process

#### Agent/insurer:

Receives the estimated wages declaration, calculates premium for the policy period and issues premium notice within one month.

Automatically renews policy if the employer has failed to supply a wages estimate within two months after renewal.

In the event of an automatic renewal, wages will be based at 1.3 times the estimated wages for the previous 12 months.

#### Payment plan options

- Basic tariff premium below \$1,000 - no instalment options available
- Basic tariff premium greater than \$1,000 - quarterly instalment options available
- Basic tariff premium more than \$5,000 – monthly/quarterly instalment options available

Annual in advance discount option available for all employers except those with a fixed minimum premium and employers participating in the Retro-Paid Loss Scheme.

Discount only applies when premium is paid in full before premium due date.

#### Penalties and discounts

- Late premium payments will attract a penalty. The late payment rate applicable is stated in the relevant Premiums Order, currently 0.883% per month compounded monthly for new or renewed policies on or after 30 June

#### Definition of a Worker

A standard employment relationship consists of workers and employers. A worker, for workers compensation purposes, is defined as:

‘a person who has entered into or works under a contract of service or a training contract with an employer (whether by way of manual labour, clerical work or otherwise, and whether the contract is expressed or implied, and whether the contract is oral or in writing)’.

#### Worker or Contractor?

A number of factors together identify whether a person is a worker or a contractor. No individual factor is conclusive. All aspects of the engagement relationship between the employer and the hired person should be taken into consideration, in particular the terms of the engagement.

## State & Territory Guidelines

### New South Wales (cont'd)

#### Key steps and dates

Some key indicators in determining if a person may/may not be a contractor include but are not limited to:

- Work is quoted by the contractor on a job-by-job basis
- The job has a start and end date – this does not include an annually reviewed contract
- Payment amount is fixed for work performed and is made to a registered business entity and not to an individual
- The person hired provides their own tools and equipment
- The person hired subcontracts or delegates the work
- A guarantee or warranty for the work performed is provided by the person hired and rectification of defective work is provided at their own expense.

Having an ABN does NOT necessarily mean that the person is a contractor. Consideration must be given to the full nature of the agreement between the parties. An agreement stating that a person is to be regarded as an independent contractor is relevant but NOT conclusive.

The contractual terms are only one factor in consideration of the status of the relationship. This type of agreement may be disregarded when other factors point to the level of control being sufficient to amount to a contract of service.

#### Some key indicators a person is a worker include but not limited to:

- Payment for services is based on period of time worked. For example, hourly rate with payment made at regular periods, usually weekly, fortnightly or monthly
- The person works fixed or regular hours
- The person works under the supervision and control of an employer
- Employer provides materials/equipment
- The person performs work for the employer in accordance with an employment contract and takes no commercial risk
- Work is performed personally and cannot be subcontracted to others
- Employer provides tools unless specifically agreed
- The person receives paid leave. For example, sick, annual and long service leave.

#### Deemed Workers

In some circumstances where a contractor is under the direction and control of a Principal contractor, the contractor may be deemed as a worker of the Principal (Schedule 1 Workplace Injury Management Act 1998).

Deeming provisions apply to certain industries such as labour hire; outworkers; salespersons, canvasser and collectors; rural workers; timber getters; mine employees; boxers, wrestlers, referees and entertainers.

#### Who is not considered a Worker?

- A casual employee for one period only of less than five days for work other than the business of the employer
- A religious officer or from other voluntary association where the duties are outside the officer's ordinary hours and that work is for less than \$700 per year
- A registered participant of a sporting organisation within the meaning of the Sporting Injuries Insurance Act 1978, while participating in, training for or travelling for that participation

## State & Territory Guidelines

### Northern Territory

#### Key steps and dates

Approved insurers must give, in writing 28 days notice of the expiry of an existing policy.

#### Employer deadlines

Within 28 days of renewal the employer is required to supply to the insurer a full and correct statement of the actual amounts paid by him or her during the insurance period and provide a proper estimate of the payments that will be payable by him or her for the year.

#### The policy renewal process

The insurer:

- Calculates the adjusted premium for the prior term;
- Calculates the premium for the future term; and
- Mails the consolidated premium notice and invoices.

#### Definition of a Worker

A worker is a person who provides work or service for another person and does not provide that person with an Australian Business Number (ABN) in writing.

Essentially, anyone that fits within this definition is potentially eligible for workers' compensation.

The following groups of people are specifically included in the Workers Rehabilitation and Compensation Act and are therefore eligible for workers' compensation:

- St. John Ambulance volunteers
- People serving on juries'
- Jockeys and stable hands
- Volunteer fire-fighters and emergency services personnel.

#### Examples of Workers

- A full-time, part-time or casual employee
- An apprentice
- A person employed by a householder to perform domestic, gardening or chauffeur duties, who earns in a week more than 20% of the average weekly earnings is a prescribed employee.

#### Who is not considered a Worker?

- A person who provides their ABN in writing to the person that they are providing work or service for;
- A member of the crew of a fishing vessel who is remunerated wholly or mainly by a share in the profits or gross earnings from the working of the vessel;
- A person operating as a direct selling agent under an agency agreement
- A person registered as a foster parent under the Community Welfare Act
- A person caring in the person's place of residence of another person's child;
- Commonwealth employees;
- Family members, except where specifically named;
- Company directors, except where specifically named;
- Most sports persons and volunteers except those prescribed; and
- Persons who work for unemployment benefits

## State & Territory Guidelines

### Queensland

#### Key steps and dates

- July: Declaration of Wages form or Premium Notice mailed to policy holder
- 31 August: Due date for providing wages information
- 16 September: Last date to pay discounted premium
- 30 September: Premium payment or payment plan notification due
- 5 October: First monthly or quarterly payment due

#### The policy renewal process

For medium to large premium payers WorkCover Queensland calculates premium based on wages submitted, then issues a premium notice.

For smaller premium payers, premium is automatically assessed based on indexed wages for the prior year.

#### Payment plan options

Medium to large premium payers, have the option to pay their premium by monthly or quarterly payments:

- Monthly payments are taken by electronic funds transfer (EFT) on the 5th of each month from October through to June
- Quarterly payments are taken by EFT on the 5th of October, December, March and June

#### Penalties and discounts

Late payment penalty of 5 per cent of premium for the first month, 10 per cent for the 2nd month, and then 10 per cent plus interest payment. A discount is applied for early payment.

#### Definition of a Worker

A worker is a person who is employed under a contract of service, regardless of their tax paying status.

In general this means the person:

- Earns a salary or wages from their employer
- Has set hours
- Is supervised and can be disciplined or dismissed by their employer.

The following persons are also eligible for workers' compensation:

- A person who fails the 'results test'
- A person who works under a contract, at piecework rates, for labour only or substantially for labour only
- A person who is not regularly carrying on a trade or business
- A person who performs work outside their usual trade or business
- A person who has an Australian Tax Office personal services business determination may still be a 'Worker' if the person is not regularly carrying on a trade or business, or is working for labour only or for substantially labour only.

Certain types of volunteers and work experience students may be eligible for workers' compensation.

Honan is able to assist you to understand your obligations regarding volunteers

## State & Territory Guidelines

### Queensland (cont'd)

#### Examples of Workers

- A full-time, part-time or casual employee
- An apprentice
- A person who works under a contract, or at piecework rates, for labour only or substantially for labour only

#### Who is not considered a Worker?

- Someone who performs work under a contract of service with—
  - (a) A corporation of which the person is a director; or
  - (b) A trust of which the person is a trustee; or
  - (c) A partnership of which the person is a member; or
  - (d) The Commonwealth or a commonwealth authority
- Professional sports people
- Members of the crew of a fishing vessel receiving wholly or mainly a percentage of the gross earnings or profit
- People who use a motor vehicle for tuition
- A person participating in an approved program or work for unemployment payment under the Social Security Act

## State & Territory Guidelines

### South Australia

#### Key steps and dates

An employer is required to register within 14 days of commencing to employ worker/s (unless they are exempted and pay their workers less than \$10,900 a year).

Whilst there is no policy renewal form, all employers are required to complete an Annual Reconciliation Statement declaring the total remuneration paid to employees for the financial year, and provide estimated remuneration for the coming financial year.

Levy is paid annually in advance:

- Annually - If the assessed levy due is under \$2000, the levy is paid annually in advance and it is due 31 July.
- Monthly - If the assessed levy due is more than \$2000, the levy is due by way of 10 monthly instalments commencing on 7 September and ending on 7 June within each financial year.

#### The policy renewal process

Registration stays in place until the employer advises WorkCover they no longer need to be registered, are not employing workers, or have sold the business.

At the end of each financial year WorkCover sends employers an end of year reconciliation statement, together with an advice of their WorkCover levy rate for the new financial year.

For annual payers, the Reconciliation Statement is due on 31 July, while monthly payers must commence payments on 7 September and end them on 7 June each financial year.

#### Payment plan options

- Annually in advance for employers with an assessed levy under \$2000 per annum- payable by 31 July
- Monthly for employers with an assessed levy more than \$2000 per annum - payable by the 7th of the following month
- Annual in advance - payable by 30 June

#### Penalties and discounts

Penalty interest is payable on unpaid levy unless WorkCover determines otherwise.

A fine of up to 300% of the assessed levy can be imposed in the event of failure to pay a levy, or the full amount of levy, or provide a return when required.

## State & Territory Guidelines

### South Australia (cont'd)

#### Definition of a Worker

A worker is:

- Someone who works under a contract of service (whether or not as an employee).
- A prescribed class of volunteer; currently the only class of volunteers prescribed are volunteer fire fighters with the Country Fire Service
- A self-employed worker to whom WorkCover has extended the protection of the

South Australian legislation expands the definition of contract of service to include:

- A person working under a contract of apprenticeship,
- A person working under a contract, arrangement or understanding where they receive
- Remuneration from their employer for on the job training in a trade or vocation
- A person working under a contract for service prescribed under the Act.

These prescribed circumstances are known as 'prescribed classes of work' or 'prescribed work'. This means that in certain situations the Act deems people who would otherwise be independent contractors to be workers.

Honan is able to assist you to understand your obligations regarding Deemed Workers

#### Examples of workers

Full time, part time & casual employees, apprentices, trainees, working directors, and certain contractors and deemed workers in prescribed classes if relevant conditions exist.

The following are prescribed classes of work:

- Building work
- Cleaning work
- Council drivers
- Taxi drivers
- Driving or riding for fee or reward a vehicle, other than a commercial motor vehicle Entertainers, if performing the work personally
- Outworkers & domestic servants
- Ministers of religion, except for those classes excluded in the regulation
- Boxers / wrestlers, if employed for a fee
- Apprentice jockeys authorised under the Racing Act

#### Who is not considered a worker?

The Act and /or the Regulations exclude certain groups of workers including:

Ministers (various definitions)

An officer of the Salvation Army appointed in SA under the orders and regulations for officers in that church

#### Professional sports persons

- Owner/drivers of commercial motor vehicles
- Seafarers covered by Commonwealth legislation
- Fishing crew (if they share in the boat's gross profits)

Honan is able to assist you to understand your obligations regarding Workers' definitions

## State & Territory Guidelines

### Tasmania

#### Key steps and dates

A licensed insurer must give, in writing, 28 days notice of the expiry of an existing policy.

#### Employer deadlines

Employers are required by legislation to keep current a policy of insurance for full liability. Within 60 days of renewal, employers are to certify remuneration for prior year and provide estimates for the renewal year.

#### The policy renewal process

The licensed insurer:

- Calculates the adjusted premium for prior term;
- Calculates the premium for future term; and
- Mails the consolidated premium notice and invoices.

#### Payment plan options

As arranged with the individual insurer.

#### Penalties and discounts

Insurers remain liable under the terms of a policy until 28 days notice has been given of its expiry.

Employers may be liable to penalties for:

- Any uninsured periods.
- Failure to provide the required supporting information within 60 days of an application for a new policy or renewal of an existing policy,

#### Definition of a Worker

“worker” means–

- (a) any person who has entered into, or works under, a contract of service or training agreement with an employer, whether by way of manual labour, clerical work or otherwise, and whether the contract is express or implied, or is oral or in writing; and
- (b) any person or class of persons taken to be a worker for the purposes of the Act and when used in relation to a person who has been injured and is dead, includes the legal personal representatives or dependants of that person or other person to whom or for whose benefit compensation is payable.

#### Examples of Workers

- A full-time employee.
- A part-time employee.
- A casual employee.
- An apprentice.
- A contractor who enters into a contract to perform work not related to a trade or business carried out by that person
- Any person who is deemed or deemed to be working under a contract of service.
- Working directors as declared for the purpose of workers’ compensation insurance.
- Volunteer fire-fighters, police, ambulance workers and other prescribed volunteers are deemed to be workers while they are engaged in their volunteer duties.

## State & Territory Guidelines

### Tasmania (cont'd)

Who is not considered a Worker?

The following are generally not deemed to be a worker:

- Workers employed on a casual basis for a purpose other than the employer's trade or business.
- Outworkers.
- Workers employed as domestic servants with a private family who have not completed 48 hours employment at the time they suffer injury.
- Members of crews of fishing boats who are paid wholly or mainly on the basis of a share of profits or gross earnings of the boat.
- People participating in approved programs of work for unemployment payment (work-for-the-dole schemes).
- Workers engaged in sporting activities who may receive some payment simply for playing, training or travelling with a sporting body (however the Act does cover workers genuinely engaged under contracts of service with sporting bodies eg paid coaches, umpires or referees).

## State & Territory Guidelines

### Victoria

#### Key steps and dates

Projected Premium Illustrations & Claims Information Statements are mailed 31 May to Employers with a current policy.

- Remuneration Declaration forms mailed June, including invitation to select buyout option.
- Buyout option at a cost of 10 % of premium removes the claims excess of the Employer being responsible for the first 10 days of weekly benefits for an injured Worker who is off work, and the first \$531 of medical & related expenses.
- Premium Notice and Invoice issued 7 September.

#### Employer deadlines

Employer to certify remuneration for prior year and confirm estimates for renewal year by 1 August.

Buyout option election required by 31 August.

An Employer must advise their agent when the remuneration you have actually paid or are liable to pay exceeds your estimate of rateable remuneration for any policy period.

A revised estimate must be provided within 28 days of exceeding your last estimate.

#### The policy renewal process

The Agent:

- Calculates adjusted premium for prior term
- Calculates premium for future term; and
- Mails consolidated premium notice and invoices on 7 September.

#### Payment plan options

- Annual in advance for Employers with premium up to \$999 payable by 1 November.
- Quarterly for Employers with premium from \$1,000 to \$50,000 payable in instalments due 1 October, 1 December, 1 March and 1 June.
- Monthly for Employers with premium above \$50,000 payable in 10 monthly instalments due 1st of the month from 1 October through to 1 July.
- Annual in advance option available for all Employers with a 3% discount, payable by 1 October with a fixed minimum premium of \$148.50.

#### Penalties and discounts

- Late premium payments will attract a penalty of 1.014% (on overdue amounts, compounding each month).
- Should an Employer not make the required payment subsequent to an overdue reminder the instalment plan maybe cancelled making the remaining premium for the whole year due immediately.
- In the event you fail to advise your VWA Agent of changes to your estimated rateable
- Remuneration, and at any time prior to May the rateable remuneration you have paid, or are liable to pay, is more than the estimate you last provided, a penalty of up to 100% of the insurance premium difference may be applied.

## State & Territory Guidelines

### Victoria (cont'd)

#### Definition of a Worker

A person who enters into, or works under, a contract of service or apprenticeship, regardless of whether the contract is expressed or implied, oral or written.

- A person working as a contractor is deemed a Worker when the:
- Contract payments are for essentially labour only services
- Provision of labour is not secondary to provision of materials and/or equipment.
- Services rendered are not ordinarily required by the principal,
- Principal usually requires such work for 180+ days per financial year
- Contract runs for 90+ days for the one business; or
- Contractor does not deliver services to public generally in that financial year
- Contractor does not employ or subcontractor work out to others
- Services do not involve door-to-door sales

Where a contractor operates as a company, the person who performs the work may also be deemed a Worker.

A contractor whose provision of labour is ancillary to the provision of materials and/or equipment would normally not be a deemed Worker

#### Examples of Workers

- Full-time, part-time, and casual employees
- An apprentice
- Certain contractors who are deemed as Workers (refer to the Definition of a Worker section, above)
- Any person deemed to be a Worker or deemed to be working under a contract of service
- A director who is an employee working for an Employer
- A driver of passenger vehicles who has obtained a vehicle under contract of bailment (for example, a taxi driver)
- A school student engaged for work experience
- A TAFE student engaged under a specific arrangement
- Certain timber contractors
- Persons attending a pre-arranged 'place of pick-up' (for being selected for employment)
- Certain volunteers specified under legislation

#### Who is not considered a Worker?

- Genuine volunteers except those specifically mentioned under legislation
- Workers in their own businesses
- Professional sports people excluding jockeys
- Municipal councillors

## State & Territory Guidelines

### Western Australia

#### Key steps and dates

Renewal is mailed to Employers prior to expiry of the existing policy:

- 30 days prior to expiry for Insurance brokers
- 14 days prior to expiry for Employers

#### Employer deadlines

Employers are required by legislation to keep current a policy of insurance for full liability.

Employers are to certify remuneration for the prior year and provide estimates for the renewal year as per the approved Insurer's procedural requirements.

#### The policy renewal process

The Insurer :

- Calculates the adjusted premium for the prior term
- Calculates the premium for the future term; and
- Mails the consolidated premium notice and invoices

#### Payment plan options

As arranged with the individual insurer:

- Annually
- Quarterly
- Monthly

#### Penalties and discounts

Insurers remain liable under the terms of a policy until such date (plus seven days) that WorkCover WA has been notified the policy has lapsed.

The period between the expiry and renewal of a policy is otherwise at the discretion of the respective approved insurers.

Employers are liable for penalties pursuant to section 170 of the WCIMA for uninsured periods (\$5,000 per Worker for each offence).

#### Definition of a Worker

Worker includes:

- Any person to whose service any industrial award or industrial agreement applies
- Any person engaged by another person to work for the purpose of the other person's trade or business under a contract with him for service, the remuneration by whatever means of the person so working being in substance for his personal manual labour or services, and any reference to a Worker who has suffered an injury shall, where the Worker is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

## State & Territory Guidelines

### Western Australia (cont'd)

#### Examples of Workers

- A full-time employee
- A part-time employee
- A casual employee
- An apprentice
- A contractor (refer above)
- Any person who is deemed or deemed to be working under a contract of service
- Working directors as declared for the purpose of Workers' compensation insurance
- Declared clergymen
- Licensed jockeys

#### Who is not considered a Worker?

A volunteer who does not receive any payment for the services he/she provides.

- Crew members who are signatories to a share fishing agreement
- Professional sports people
- Unpaid individuals on 'work experience'

#### Working Directors

A working director (in relation to a company) means a director who executes work for, or on behalf of, the company, and whose earnings as a company director by whatever means, are in substance for personal manual labour or services.

It is optional for a working director's company to cover their directors for workers' compensation.

#### What process does a working director go through to obtain insurance?

The director's company applies for insurance on the basis that their director is a 'working director' as defined in Workers' Compensation and Injury Management Act

The company provides information to the insurer concerning the working director's remuneration when issuing or renewing the insurance policy.

Once the policy is in effect, the working director is deemed a worker under the Act.

Contact your insurer if you would like to seek workers' compensation cover for 'working directors'.

#### Can non-working directors or public company directors be covered?

**Non-working directors are excluded.** A director registered under the Corporations Act 2001 of the Commonwealth must be a working director, as defined by the Act.

**Public company directors are also excluded.** Only a company, as a separate legal entity, may apply to insure a working director and the definition of company, contained in section 10A of the Act, excludes public companies from obtaining cover for its directors.

Honan is able to assist you to understand your obligations regarding Working Directors