



Safety, Rehabilitation and Compensation Act 1988

Part VIII

BORDER EXPRESS PTY LTD

NOTICE OF EXTENSION AND VARIATION OF LICENCE

Notice No 7 of 2014

Border Express Pty Ltd ABN, 82 000 533 880 (the Licensee), was declared to be eligible to be granted a licence under Part VIII of the *Safety, Rehabilitation and Compensation Act 1988* (the SRC Act) by legislative instrument dated 18 July 2007, registered as F2007L02424 on the Federal Register of Legislative Instruments on 7 August 2007.

The Safety, Rehabilitation and Compensation Commission (the Commission), acting under sections 103 and 104 of the SRC Act, granted a licence to Border Express Pty Ltd on 12 December 2007 with a commencement date of 1 January 2008 at 12.01am (Australian Eastern Daylight Time) and a cessation date of midnight (Australian Eastern Standard Time) on 30 June 2010.

This grant was notified by Notice No. 23 of 2007 in Commonwealth Gazette No. GN50 on 19 December 2007.

The Licence was subsequently extended and/or varied by the Commission on:

- 18 June 2008 by Notice No. 13 of 2008, Commonwealth Gazette No. GN25 on 25 June 2008;
- 16 June 2010 by Notice No. 11 of 2010, Commonwealth Gazette No. GN24 on 23 June 2010; and
- 30 May 2012 by Notice No. 4 of 2012, Commonwealth Gazette No. S64 on 31 May 2012.

Prior to this extension, the Licence had a cessation time and date of midnight (Australian Eastern Standard Time) on 30 June 2014.

The Commission, acting under subsection 105(1) of the SRC Act, varies the conditions of the abovementioned Licence as set out below.

The Commission extends the term of the Licence for the period commencing 1 July 2014 at 12:01am (Australian Eastern Standard Time) and a cessation time of midnight (Australian Eastern Standard Time) on 30 June 2018.

Condition 6 of the Licence is omitted and replaced by the following:

6. For the purpose of any reconsiderations under Part VI of the SRC Act, except for reconsiderations of own motion of matters in respect of which the outcomes would be no less favourable to the employee than the original decisions, in respect of determinations made by the Licensee, the Licensee must arrange for the person

specified below (“the Reviewer”) to carry out any reconsiderations of determinations on behalf of the Licensee:

The Reviewer: Insurance Australia Ltd ABN 11 000 016 722

The Licensee is to enter into and maintain a written contract with the Reviewer for the performance of the Reviewer’s reconsideration function and if requested to do so, give a copy of the contract to the Commission.

The Commission, acting under subsection 108D(2) of the SRC Act, varies the conditions of the abovementioned Licence as set out below.

Substitute “*Occupational Health and Safety Act 1991* (OHS Act)” with “*Work Health and Safety Act 2011* (WHS Act)” in clause 9 and substitute all subsequent references to the “OHS Act” and “OHS” with the “WHS Act” and “WHS” respectively.

Prudential Condition 4.2(c) is replaced by the following.

(c) obtained from a corporation that is authorised by the Australian Prudential Regulatory Authority (APRA) to carry on:

- (i) banking business in Australia under the *Banking Act 1959* (Cth) and has an issuer credit rating of or equivalent to a Standard and Poor’s AA- or better; or
- (ii) insurance business in Australia under the *Insurance Act 1973* (Cth) and has an issuer credit rating of or equivalent to a Standard and Poor’s AA- or better and a financial strength rating of or equivalent to a Standard and Poor’s AA- or better.

The variations take effect at 12:01 am (Australian Eastern Standard Time) on 1 July 2014.

Dated the 25th day of June 2014.

Barry Sherriff
Chairperson
Safety, Rehabilitation and Compensation Commission