

# Professional Standards Regulations 2007

S.R. No. 122/2007

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STATUTORY RULES 2007

S.R. No. 122/2007

*Professional Standards Act 2003*

**Professional Standards Regulations 2007**

The Governor in Council makes the following Regulations:

Dated: 7 November 2007

Responsible Minister:

ROB HULLS  
Attorney-General

CHRISTINE TRAN  
Acting Clerk of the Executive Council

**1 Objective**

The objective of these Regulations is to—

- (a) provide for the payment to the Professional Standards Council of—
  - (i) application fees for the approval, amendment or revocation of schemes;
  - (ii) annual member fees;
  - (iii) additional member fees;
- (b) prescribe a statement for the notification of a limitation under the **Professional Standards Act 2003**.

**2 Authorising provision**

These Regulations are made under section 57 of the **Professional Standards Act 2003**.

### **3 Definitions**

In these Regulations—

*professional standards legislation* means—

- (a) the Act; or
- (b) a law of another State, Territory or the Commonwealth that corresponds to the Act;

*the Act* means the **Professional Standards Act 2003**.

### **4 Payment of fees for approval, amendment or revocation of schemes**

- (1) An application under section 8(3) of the Act by an occupational association for the approval by the Council of a scheme prepared by the occupational association or by the Council must be accompanied by a fee of \$5000.
- (2) An application under section 18(2) of the Act by an occupational association for the approval by the Council of an amendment to, or the revocation of, a scheme must be accompanied by a fee of \$5000.

### **5 Payment of annual fees and additional member fees for members of occupational associations**

- (1) The annual fee to be paid to the Council by an occupational association is \$50 for each member of that occupational association who is subject to a scheme in force under the Act.
  - (2) An occupational association must pay the annual fee—
    - (a) if the relevant scheme commences during the period of 3 months ending on 31 March in any year—not later than 31 March in each year; or
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- (b) if the relevant scheme commences during the period of 3 months ending on 30 June in any year—not later than 30 June in each year; or
  - (c) if the relevant scheme commences during the period of 3 months ending on 30 September in any year—not later than 30 September in each year; or
  - (d) if the relevant scheme commences during the period of 3 months ending on 31 December in any year—not later than 31 January of each following year.
- (3) If an additional member of an occupational association becomes subject to a scheme during the annual fee period, an additional member fee of \$50 is to be paid to the Council by the occupational association for that additional member as follows—
- (a) if the member becomes subject to the scheme during the period of 3 months ending on 31 March—not later than 31 March; or
  - (b) if the member becomes subject to the scheme during the period of 3 months ending on 30 June in any year—not later than 30 June in each year; or
  - (c) if the member becomes subject to the scheme during the period of 3 months ending on 30 September in any year—not later than 30 September in each year; or
  - (d) if the member becomes subject to the scheme during the period of 3 months ending on 31 December in any year—not later than 31 January of each following year.
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## **6 Interest payable on overdue fees**

If any amount of the annual fee or the additional member fee is not paid within 30 days after it is due simple interest accruing at the rate of 0.05% per day is payable by an occupational association to the Council on the outstanding balance until that balance is paid.

## **7 Waiver or remission of amounts payable**

- (1) The Council may, if it considers that there are special reasons for doing so in a particular case, waive or remit the whole or any part of, any or all of the following—
    - (a) the application fee payable under regulation 4;
    - (b) the annual fee payable under regulation 5(1);
    - (c) the additional member fee payable under regulation 5(3);
    - (d) any interest payable under regulation 6.
  - (2) A person holding the position of Executive Officer of the Council may waive or remit the whole or any part of, any of the following to an amount not exceeding \$250—
    - (a) the application fee payable under regulation 4;
    - (b) the annual fee payable under regulation 5(1);
    - (c) the additional member fee payable under regulation 5(3);
    - (d) any interest payable under regulation 6.
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**8 Notification of limitation of liability**

For the purposes of section 35 of the Act, the prescribed form of statement—

- (a) is "Liability limited by a scheme approved under Professional Standards Legislation"; and
  - (b) must be printed in a size not less than the face measurement of Times New Roman typeface in 8 point.
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