



Western Australia

Professional Standards Regulations 1998

Compare between:

[07 May 2004, 01-a0-02] and [29 Dec 2006, 01-b0-10]



Reprinted under the
Reprints Act 1984 as at
7 May 2004

Western Australia

Professional Standards Act 1997

Professional Standards Regulations 1998

1. Citation

These regulations may be cited as the *Professional Standards Regulations 1998*¹.

2. Commencement

These regulations come into operation on the day on which the *Professional Standards Act 1997* comes into operation¹.

3. Fee on application ~~under section 20~~

~~(1)~~ On making an application to the Council ~~under section 20(2) for approval of a scheme, or (3) of the Act an amendment to or revocation of a scheme,~~ an occupational association must pay a fee of \$5 000 to the Council.

~~—(2)— The Council may, if it considers that there are special reasons for doing so in a particular case, remit the whole or any part of the fee payable under section 20(2) or (3) of the Act in relation to the amendment of a scheme or the revocation of a scheme.~~

~~[(2) deleted]~~

~~[Regulation 3 amended: Gazette 29 Dec 2006 p. 5873.]~~

4. Annual fee for occupational associations subject to a scheme

- ~~(1) This regulation applies to any occupational association whose members are subject to a scheme in force under the Act.~~
- ~~(2) In each scheme year the occupational association must pay to the Council —~~
- ~~(a) a fee that is calculated according to the number of members of the association who are subject to the scheme at any time during the year, as follows:~~
- ~~(i) if the scheme applies only to a class of persons within the association who elect to have the scheme apply to them, \$75 for each of those members; or~~
- ~~(ii) if subparagraph (i) does not apply, \$40 for each of those members;~~
- ~~or~~
- ~~(b) if the fee calculated under paragraph (a) is less than \$2 500, a fee of \$2 500.~~
- ~~(3) Except as provided in subregulation (4), the association must pay the fee before the end of the first quarter of the scheme year.~~
- ~~(4) If, after the occupational association pays the fee —~~
- ~~(a) the scheme becomes applicable to an additional member of the association; and~~
- ~~(b) the fee calculated under subregulation (2)(a) is greater than \$2 500 when the additional member is included in the calculation,~~
- ~~the association must pay the amount relevant to the additional member under subregulation (2)(a) before the end of the quarter of the scheme year in which the scheme becomes applicable to the member.~~
- ~~(5) (1) In this regulation —~~

“scheme year”, in respect of a scheme in force under the Act, means a year beginning on the day the scheme begins or on an anniversary of that day.

(2) This regulation applies to any occupational association whose members are subject to a scheme in force under the Act.

(3) In each scheme year of a scheme an occupational association must pay to the Council a fee of \$50 for each of those members of the association who are ordinarily resident in the State and who are subject to the scheme at any time during the year.

(4) Except as provided in subregulation (5), the association must pay the fee —

(a) if the scheme commences during the period of 3 months ending on 31 March in any year — not later than 31 March in each year;

(b) if the scheme commences during the period of 3 months ending on 30 June in any year — not later than 30 June in each year;

(c) if the scheme commences during the period of 3 months ending on 30 September in any year — not later than 30 September in each year;

(d) if the scheme commences during the period of 3 months ending on 31 December in any year — not later than 31 January of each following year.

(5) If, after the occupational association pays the fee the scheme becomes applicable to an additional member of the association who is ordinarily resident in the State the association must pay the amount relevant to the additional member under subregulation (2) —

(a) if the scheme becomes applicable to that member during the period of 3 months ending on 31 March in any year — not later than 31 March;

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(b) if the scheme becomes applicable to that member during the period of 3 months ending on 30 June in any year — not later than 30 June;

(c) if the scheme becomes applicable to that member during the period of 3 months ending on 30 September in any year — not later than 30 September;

(d) if the scheme becomes applicable to that member during the period of 3 months ending on 31 December in any year — not later than 31 January of the following year.

[Regulation 4 inserted: Gazette 29 Dec 2006 p. 5873-4.]

5. Remissions of amounts payable

(1) The Council may, if it considers that there are special reasons for doing so in a particular case, remit the whole or any part of a fee payable under regulation 3 or 4.

(2) The Council may delegate its power to remit payment of a fee to a person holding the position of executive officer of the Council.

(3) The maximum amount the person may remit under the delegation in a particular case is \$250.

[Regulation 5 inserted: Gazette 29 Dec 2006 p. 5875.]

6. Notification of limitation of liability

(1) For the purposes of section 45(2) of the Act, the following form of statement is prescribed —

“

Liability limited by a scheme approved under Professional Standards Legislation.

”.

(2) The statement must be printed in a size not less than the face measurement of Times New Roman typeface in 8 point.

[Regulation 6 inserted: Gazette 29 Dec 2006 p. 5875.]

Notes

- ¹ This is a ~~reprint as at 7 May 2004~~ [compilation](#) of the *Professional Standards Regulations 1998*. ~~The~~ [and includes the amendments made by the other written laws referred to in the](#) following table. [The table also](#) contains information about ~~those regulations and~~ any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Professional Standards Regulations 1998</i>	17 Apr 1998 p. 2050-1	18 Apr 1998 (see r. 2 and <i>Gazette</i> 17 Apr 1998 p. 2045)
Reprint_1: The <i>Professional Standards Regulations 1998</i> as at 7 May 2004		
Professional Standards Amendment Regulations 2006	29 Dec 2006 p. 5873-5	29 Dec 2006