

AU302*

Professional Standards Act 1997

Professional Standards Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Professional Standards Amendment Regulations 2006*.

2. The regulations amended

The amendments in these regulations are to the *Professional Standards Regulations 1998**.

[* Reprint 1 as at 7 May 2004.]

3. Regulation 3 amended

(1) Regulation 3(1) is amended as follows:

- (a) by deleting “under section 20(2) or (3) of the Act,” and inserting instead —

“

for approval of a scheme, or an amendment to or revocation of a scheme,

”.

- (b) by deleting the subregulation designation “(1)”.

(2) Regulation 3(2) is repealed.

Note: The heading to regulation 3 will be altered by deleting “under section 20”.

4. Regulation 4 replaced

Regulation 4 is repealed and the following regulation is inserted instead —

“

4. Annual fee for occupational associations subject to a scheme

(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;
 - (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.

”.

5. Regulations 5 and 6 inserted

After regulation 4 the following regulations are inserted —

“

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.

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.

”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
