

Education and Care Services National Law (Western Australia)

Education and Care Services National Amendment Regulations 2024

Western Australia

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Contents

1.	Citation	1
2.	Commencement	1
3.	Regulations amended	1
4.	Regulation 236C amended	1
5.	Regulation 236D amended	3
6.	Regulation 236E amended	4
7.	Regulation 236G amended	6
8.	Regulation 236L amended	7
9.	Regulation 236O amended	9

Education and Care Services National Amendment Regulations 2024

Made by the Governor in Executive Council.

1. Citation

These regulations are the Education and Care Services National Amendment Regulations 2024.

2. Commencement

These regulations come into operation as follows —

- regulations 1 and 2 on the day on which these regulations are published on the WA legislation website;
- the rest of the regulations on the day after that day. (b)

3. Regulations amended

These regulations amend the Education and Care Services National Regulations 2012.

4. Regulation 236C amended

Delete regulation 236C(2) and insert:

(2) For the purposes of section 11(d) of the Law, the prescribed fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

where —

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1);
- **FX** is the indexation factor for the financial year beginning on 1 July 2024.
- (3) For the purposes of section 11(d) of the Law, the prescribed fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

 $P \times FX \times 1.1$

where —

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (2);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.
- (4) For the purposes of section 11(d) of the Law, in a financial year beginning on 1 July 2026 or 1 July in a later year (the *relevant financial year*), the prescribed fee is to be calculated in accordance with the following formula —

 $P \times FX$

- **P** is the amount of the fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial year.

Note:

The note at the end of regulation 236C is to be deleted.

5. Regulation 236D amended

Delete regulation 236D(4) and insert:

(4) For the purposes of section 44(1)(e) of the Law, the prescribed fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

where —

- is the amount of the relevant fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1), (2) or (3);
- **FX** is the indexation factor for the financial year beginning on 1 July 2024.
- For the purposes of section 44(1)(e) of the Law, the (5) prescribed fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

- is the amount of the relevant fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (4);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.

(6) For the purposes of section 44(1)(e) of the Law, in a financial year beginning on 1 July 2026 or 1 July in a later year (the *relevant financial year*), the prescribed fee is to be calculated in accordance with the following formula —

 $P \times FX$

where —

- **P** is the amount of the relevant fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial year.

6. Regulation 236E amended

Delete regulation 236E(3) and insert:

(3) For the purposes of section 53 of the Law, the prescribed annual fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

- **P** is the amount of the relevant fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1) or (2);
- **FX** is the indexation factor for the financial year beginning on 1 July 2024.

(4) For the purposes of section 53 of the Law, the prescribed annual fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

$P \times FX \times 1.1$

where —

- **P** is the amount of the relevant fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (3);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.
- (5) For the purposes of section 53 of the Law, in a financial year beginning on 1 July 2026 or 1 July in a later year (the *relevant financial year*), the prescribed annual fee is to be calculated in accordance with the following formula —

 $P \times FX$

where —

- **P** is the amount of the relevant fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial year.

Note:

The note at the end of regulation 236E is to be deleted.

7. Regulation 236G amended

Delete regulation 236G(2) and insert:

(2) For the purposes of section 59(2)(c) of the Law, the prescribed fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

where —

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1);
- **FX** is the indexation factor for the financial year beginning on 1 July 2024.
- (3) For the purposes of section 59(2)(c) of the Law, the prescribed fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.1$$

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (2);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.

(4) For the purposes of section 59(2)(c) of the Law, in a financial year beginning on 1 July 2026 or 1 July in a later year (the *relevant financial year*), the prescribed fee is to be calculated in accordance with the following formula —

 $P \times FX$

where —

- **P** is the amount of the fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial year.

Note:

The note at the end of regulation 236G is to be deleted.

8. Regulation 236L amended

Delete regulation 236L(3) and insert:

(3) For the purposes of section 145(2)(c) of the Law, the prescribed fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.12$$

where —

P is the amount of the relevant fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1) or (2);

- **FX** is the indexation factor for the financial year beginning on 1 July 2024.
- (4) For the purposes of section 145(2)(c) of the Law, the prescribed fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

 $P \times FX \times 1.12$

where —

- is the amount of the relevant fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (3);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.
- (5) For the purposes of section 145(2)(c) of the Law, in a financial year beginning on 1 July 2026 or 1 July in a later year (the relevant financial year), the prescribed fee is to be calculated in accordance with the following formula —

 $P \times FX$

- is the amount of the relevant fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial year.

9. Regulation 236O amended

Delete regulation 236O(2) and insert:

(2) For the purposes of regulation 138, the relevant fee for the financial year beginning on 1 July 2024 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.12$$

where —

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2023 calculated in accordance with subregulation (1);
- **FX** is the indexation factor for the financial year beginning on 1 July 2024.
- (3) For the purposes of regulation 138, the relevant fee for the financial year beginning on 1 July 2025 is to be calculated in accordance with the following formula —

$$P \times FX \times 1.12$$

- **P** is the amount of the fee payable for the financial year beginning on 1 July 2024 calculated in accordance with subregulation (2);
- **FX** is the indexation factor for the financial year beginning on 1 July 2025.
- (4) For the purposes of regulation 138, in a financial year beginning on 1 July 2026 or 1 July in a later year (the

relevant financial year), the relevant fee is to be calculated in accordance with the following formula —

 $P \times FX$

where —

- is the amount of the fee payable in the previous financial year;
- **FX** is the indexation factor for the relevant financial

Note:

The note at the end of regulation 2360 is to be deleted.

V. MOLAN, Clerk of the Executive Council

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By Authority: GEOFF O. LAWN, Government Printer

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