

South Australia

## Professional Standards Regulations 2006

under the *Professional Standards Act 2004*

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#### 1—Short title

These regulations may be cited as the *Professional Standards Regulations 2006*.

#### 2—Commencement

These regulations will come into operation on the day on which the *Professional Standards Act 2004* comes into operation.

#### 3—Interpretation

In these regulations—

*Act* means the *Professional Standards Act 2004*;

*professional standards legislation* means the Act or a law of another State that is similar in effect to the Act.

#### 4—Fees

- (1) The fees fixed by Schedule 1 are payable to the Council.
- (2) An occupational association whose members are subject to a scheme in force under the Act must pay the annual fee in respect of each member of the association—
  - (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
  - (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) However, if at any time a scheme in force under the Act becomes applicable to an additional member of an occupational association, the association must pay the annual fee in respect of the additional member—
  - (a) if the scheme becomes applicable to the member during the period of 3 months ending on 31 March in a year—not later than 31 March in the year; or
  - (b) if the scheme becomes applicable to the member during the period of 3 months ending on 30 June in a year—not later than 30 June in the year; or
  - (c) if the scheme becomes applicable to the member during the period of 3 months ending on 30 September in a year—not later than 30 September in the year; or
  - (d) if the scheme becomes applicable to the member during the period of 3 months ending on 31 December in a year—not later than 31 January of the following year.
- (4) If any part of the annual fee (including a payment required under subregulation (3)) is not paid within 30 days after it is due, simple interest at the rate of 0.05% per day is payable to the Council on the outstanding balance until the balance is paid.
- (5) The Council may, if it considers that there are special reasons for doing so in a particular case, remit (in whole or in part) either or both of the following:
  - (a) a fee fixed by Schedule 1;
  - (b) interest payable under subregulation (4).
- (6) However, if the Council delegates its power under subregulation (5) to the Secretary of the Council, the maximum amount of a fee or interest that may be remitted is \$250.

## 5—Period within which scheme may be challenged

For the purposes of subsection (1) of section 16 of the Act, the prescribed period within which a person may apply to the Supreme Court for an order that a scheme referred to in that subsection is void is 2 months after the date on which the scheme comes into operation.

## 6—Notification of limitation of liability

For the purposes of section 35(2) of the Act, the prescribed form of statement is as follows:

Liability limited by a scheme approved under professional standards legislation.

## Schedule 1—Fees

- 1 For an application by an occupational association—
  - (a) for approval of a scheme prepared under section 8 of the Act \$5 000
  - (b) for an amendment to, or revocation of, such a scheme \$5 000
- 2 Annual fee payable in respect of each member of an occupational association subject to a scheme in force under the Act \$50

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Principal regulations

Year	No	Reference	Commencement
2006	226	<i>Gazette 21.9.2006 p3275</i>	1.10.2006: r 2