

South Australia

Professional Standards Regulations 2006

under the *Professional Standards Act 2004*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Fees
- 5 Period within which scheme may be challenged
- 6 Notification of limitation of liability

Schedule 1—Fees

Legislative history

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 or www.legislation.sa.gov.au.

Revocation of regulations

The *Professional Standards Regulations 2006* were revoked by Sch 2 cl 2 of the *Professional Standards Regulations 2021* on 12.8.2021.

Principal regulations

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