

Safety, Rehabilitation and Compensation(97E(2) – Regulatory Contributions Determination) Guidelines 2022

The Safety, Rehabilitation and Compensation Commission makes the following legislative instrument.

Dated 24 August 2022

Peter Richards

Chairperson**—**Safety, Rehabilitation and Compensation Commission

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1 Name

This instrument is the *Safety, Rehabilitation and Compensation (97E(2) – Regulatory Contributions Determination) Guidelines 2022*.

2 Commencement

1. Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

1. Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 97E(2) of the *Safety, Rehabilitation and Compensation Act 1988.*

4 Definitions

***Act*** means the *Safety, Rehabilitation and Compensation Act 1988*

Note: A number of expressions used in this instrument are defined in section 4 of the Act, including the following:

(a) Entity

(b) Commonwealth authority

(c) Comcare

(d) Commission

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Determining Regulatory Contributions

In determining the regulatory contributions payable by Entities and Commonwealth authorities under the Act in respect of a financial year, the following guidelines apply to Comcare:

1. The total of the regulatory contributions in respect of a financial year should fund the total estimated costs in that financial year of the regulatory costs referred to in subsection 97D(2) of the SRC Act.
2. Comcare shall publish information explaining the methodology and data used to calculate regulatory contributions.
3. Comcare should consider Entities’ and Commonwealth authorities’ budget timing when advising regulatory contributions.
4. Adjustments due to correction of data should only be made if:
5. the Entity or Commonwealth authority notifies Comcare of the correction no later than 30 April in the financial year immediately following the financial year the regulatory contribution relates to; or
6. Comcare considers the correction will result in a significant increase in the regulatory contribution in respect of the Entity or Commonwealth authority.

Note:

1. Section 97J of the Act provides for the review by Comcare, at the request of an Entity or Commonwealth authority, of a regulatory contribution determination under section 97 of the Act;
2. Section 97K of the Act provides for the further review by the Commission, at the request of an Entity or Commonwealth authority, of a regulatory contribution determination under section 97 of the Act that has been reviewed by Comcare under section 97J of the Act;
3. Section 97M of the Act provides for the variation by Comcare, in certain specified circumstances, of a regulatory contribution determination.

**7 Reporting and Consulting**

Comcare shall:

1. report to the Commission each year on the performance of the system for determining and collecting regulatory contributions; and
2. consult the Commission, Entities and Commonwealth authorities about significant changes to the regulatory contributions methodology before implementing those changes.

Note: Consultation involves providing an explanation of the proposed change and seeking comment, considering any comments received and advising the conclusion made.

Schedule 1—Repeals

Regulatory Contribution Determination Guidelines 2012 (F2012L01342)

1 The whole of the instrument

Repeal the instrument.