

SUPPLEMENTARY EXPLANATORY STATEMENT

Issued by authority of the Minister for Government Services

Australian Hearing Services Act 1991

Australian Hearing Services Regulations 2019

After ‘...lessening the regulatory burden on individuals, and updating the language of the provisions and, to an extent, the costs and thresholds for the Authority.’ in the Explanatory Statement to the Australian Hearing Services Regulations 2019, insert new paragraph:

The charges prescribed in the Regulations are reasonably related to the expenses incurred by the Authority, and have been set to account for the Authority’s broader legislative functions, which include the provision of declared hearing services to vulnerable cohorts under its Community Service Obligations. These charges have been set with the financial capacity of these cohorts in mind.

Moreover, the charges prescribed by the Regulations are not such as to amount to taxation because they:

- are not imposed to raise revenue;
- are imposed to recover (a portion of) the costs incurred; and
- are only levied against those who actually use the services.

The charges are not of a sufficiently high amount so as to contravene paragraph 62(4)(c) of the Act.

After ‘This section replicates the corresponding provision (section 4) in the Australian Hearing Services Regulations 1992.’ in the Explanatory Statement to the Australian Hearing Services Regulations 2019, insert new paragraph:

Refusal to provide a hearing aid service is subject to internal review and independent merits review by the Administrative Appeals Tribunal.