



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

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
5 Schedules	1
6 Determining Regulatory Contributions.....	2
Schedule 1—Repeals	3
<i>Regulatory Contribution Determination Guidelines 2012 (F2012L01342)</i>	3

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Note: This table relates only to the provisions of this instrument as originally made.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.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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