Commonwealth Coat of Arms

Private Health Insurance (Complaints Levy) Rules 2017

I, Greg Hunt, Minister for Health, make the following rule.

Dated  14 Sept 2017

Minister for Health

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Part 1 Preliminary

# Name of Rules

These Rules are the *Private Health Insurance (Complaints Levy) Rules 2017*.

# Commencement

These Rules commence on the day after they are registered.

# Repeal

These Rules repeal the *Private Health Insurance (Complaints Levy) Rules 2016*.

# Authority

These Rules are made under section 8 of the *Private Health Insurance (Complaints Levy) Act 1995*.

# Definitions

In these Rules:

***Act*** means the*Private Health Insurance (Complaints Levy) Act 1995.*

***census day*** means the day specified in rule 6.

***complaints levy day*** means the day or days specified in rule 7.

***joint policy*** means a policy under which two or more persons are insured.

***policy*** means a complying health insurance policy as defined in section 63-10 of the *Private Health Insurance Act 2007*.

***single policy*** means a policy under which only one person is insured.

***total number of single policies*** is the number of single policies on issue from all private health insurers on the census day.

***total number of joint policies*** is the number of joint policies on issue from all private health insurers on the census day.

Note: The number of single policies and joint policies on issue from private health insurers used is taken from data held by the Australian Prudential Regulation Authority.

Other expressions used in these Rules have the same meanings in these Rules as in the *Private Health Insurance Act 2007*.

Part 2 Complaints Levy

# Census day

Subparagraph 6(2)(a)(i)

The census day is the 30 June last occurring before the day on which the levy is payable.

Note 1: The rate of levy is based on the number of complying health insurance policies on issue from a private health insurer on the census day.

Note 2: The Private Health Insurance (Levy Administration) Rules specify the payment day.

# Complaints levy day

Paragraph 5(1)(a)

The complaints levy day is 1 October each financial year.

Note: The complaints levy day is the day the complaints levy is imposed on the conduct of health insurance business by private health insurers. The complaints levy day is an ***imposition day*** for section 307-1 of the *Private Health Insurance Act 2007*.

# Rate of levy for a single policy

Item 1 of the table in subsection 6(1)

The rate of complaints levy for each single policy on issue from a private health insurer on the census day is the rate calculated using the formula:

|  |
| --- |
| $1,858,000.00 |
| total number of single policies + (2 x total number of joint polices) |

If the rate of levy calculated under subrule (1) for a single policy on issue from an insurer is more than $0.50, the rate for a single policy is $0.50

# Rate of levy for a joint policy

Item 1 of the table in subsection 6(1)

The rate of complaints levy for each joint policy on issue from a private health insurer on the census day is the rate calculated using the formula:

|  |  |
| --- | --- |
| 2 x | $1,858,000.00 |
| total number of single policies + (2 x total number of joint polices) |

If the rate of levy calculated for a joint policy on issue from an insurer is more than $1.00, the rate for the policy is $1.00.