



National Vocational Education and Training Regulator (Charges) Amendment (COVID-19) Determination 2020

I, Senator the Hon Michaelia Cash, Minister for Employment, Skills, Small and Family Business, make the following Determination.

30 April 2020

Michaelia Cash
Minister for Employment, Skills, Small and Family Business

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1 Name

This instrument is the *National Vocational Education and Training Regulator (Charges) Amendment (COVID-19) Determination 2020*.

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	1 January 2020	

Note: This table relates only to the provisions of this instrument as originally made.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 subsections 6B(1), 9(2), 12(2) and section 13 of the *National Vocational Education and Training Regulator (Charges) Act 2012*.

4 Schedules

The instrument that is specified in the Schedule to this instrument is amended as set out in the items in the Schedule.

Schedule 1—Amendments

National Vocational Education and Training Regulator (Charges) Determination 2013 (No. 1)

1 Section 7A

After “under section 7B” in paragraph (2)(a) and after “under section 7C” in paragraph (2)(b), insert “(subject to section 7E)”.

2 Section 7D

After subsection 7D(2), insert:

- (3) To avoid doubt, circumstances related to the COVID-19 pandemic are special or unusual circumstances which could cause the charge to be unreasonable or inequitable for the purposes of paragraph (1)(a).

3 After section 7D

Insert:

7E Circumstances in which annual registration charge is zero

- (1) This section applies to an NVR registered training organisation or registered provider that held registration immediately before 1 January 2020.
- (2) Despite sections 7B and 7C, an annual registration charge is determined to be zero where the charge would otherwise become payable on or after 1 January 2020 and prior to 30 June 2020.

4 Section 9

After subsection 9(2), insert:

- (3) To avoid doubt, circumstances related to the COVID-19 pandemic are special or unusual circumstances which could cause the charge to be unreasonable or inequitable for the purposes of paragraph (1)(a).

5 After section 10

Insert:

11 Circumstances in which compliance audit and complaint investigation charges are zero

Despite sections 8 and 10, a charge under Part 2 or Part 3 of the Act (in relation to compliance audits or for the investigation of a complaint) is determined to be zero where the charge would otherwise become payable on or after 1 January 2020 and prior to 30 June 2020.