

# **Professional Standards (CPA Australia Limited Professional Standards Scheme) Notice (No. 2) 2014**

Explanatory Notes for SL 2014 No. 294

Made under the

*Professional Standards Act 2004*

## **General outline**

*Professional Standards (CPA Australia Limited Professional Standards Scheme) Notice (No. 2) 2014*

## **Authorising law**

Section 14(1) of the *Professional Standards Act 2004* (the Act) provides for the Minister to give notice, in the case of an interstate scheme, of the approval of the scheme by the appropriate Professional Standards Council for the jurisdiction in which the scheme was prepared. Section 14(5) provides that a reference to an interstate scheme includes an instrument amending an interstate scheme.

## **Policy objectives and the reasons for them**

All Australian States and Territories have similar professional standards legislation, which is designed to reduce the cost of, and facilitate the obtaining of professional indemnity insurance for members of an occupational association that has an approved scheme. Each jurisdiction's legislation provides for a Professional Standards Council to approve and monitor schemes. A consequence of a scheme being approved is that occupational liability is restricted to the amount of the monetary ceiling for the scheme.

Under section 14 of the Act, the Minister must give notice of the approval of an instrument amending an interstate scheme by the council for the jurisdiction in which the scheme was prepared, and the notice is subordinate legislation.

The objective of this subordinate legislation is to give notice of the approval by the Professional Standards Council of New South Wales (the NSW Council) of an instrument amending the CPA Australia Limited Professional Standards Scheme. This scheme operates in Queensland through the mutual recognition provisions in the Act.

The amendment corrects internal references of the scheme and improves the construct of the scheme under the *Professional Standards Act 1994* (NSW).

### **Achievement of policy objectives**

The policy objectives are achieved by giving notice of the approval of the instrument amending the scheme by the NSW Council.

### **Consistency with policy objectives of authorising law**

The notice is consistent with the main objects of the Act.

### **Inconsistency with policy objectives of other legislation**

The notice is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

There are no costs associated with the implementation of this notice.

### **Consistency with fundamental legislative principles**

The notice is consistent with fundamental legislative principles.

### **Consultation**

Notice of the amendment was published in *The Australian*, *The Courier-Mail*, *The Daily Telegraph*, *The Age*, *The Advertiser*, *The NT News*, *The Canberra Times* and *The West Australian* on 6 August 2014.

The Office of Best Practice Regulation was consulted in relation to the proposed notice and confirmed that a Regulatory Impact Statement is not required.