



Queensland

Disability Services and Other Legislation (Fees) Amendment Regulation 2022

Subordinate Legislation 2022 No. 83

made under the

Disability Services Act 2006

Working with Children (Risk Management and Screening) Act 2000

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Disability Services and Other Legislation (Fees) Amendment Regulation 2022*.

2 Commencement

This regulation commences on 1 July 2022.

Part 2 Amendment of Disability Services Regulation 2017

3 Regulation amended

This part amends the *Disability Services Regulation 2017*.

4 Insertion of new s 17A

After section 17—

insert—

17A Rounding of amounts expressed as numbers of fee units

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
 - (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or

- (b) if the result is more than \$100 but not more than \$1,000—to the nearest multiple of 10 cents (rounding one-half upwards).

Example—

If a fee were 35 fee units and the value of a fee unit were \$1.015, the number of dollars obtained by multiplying 35 by \$1.015 would be \$35.525. Because \$35.525 is halfway between \$35.50 and \$35.55, it is rounded upwards, so the amount of the fee would be \$35.55.

5 Amendment of s 18 (Refund or waiver of fees)

Section 18(2), ‘the prescribed application fee mentioned in schedule 1, item 2’—

omit, insert—

a prescribed application fee mentioned in schedule 1, item 2 or 4

6 Replacement of sch 1 (Fees)

Schedule 1—

omit, insert—

Schedule 1 Fees

section 17

Part 1 Particular fees related to NDIS clearances

		\$
1	Application for an NDIS clearance (Act, s 68(1)(c))—	
	(a) for a volunteer	nil

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	\$
(b) for an applicant who proposes to carry out disability work as an NDIS sole trader, or as an NDIS sole trader and a State sole trader, only on an unpaid basis	nil
(c) otherwise	129.00
2 Prescribed application fee (Act, s 103)—	
(a) for a person who holds an NDIS clearance who is engaged to carry out disability work other than as a volunteer	129.00
(b) for an NDIS sole trader who carries out disability work for financial reward	129.00

Part 2 Other fees

	Fee units
3 Application for a State clearance (Act, s 68(1)(c))—	
(a) for a volunteer	nil
(b) for an applicant who proposes to carry out State disability work as a State sole trader only on an unpaid basis	nil
(c) otherwise	97.60
4 Prescribed application fee (Act, s 103)—	
(a) for a person who holds a State clearance who is engaged to carry out disability work other than as a volunteer	97.60
(b) for a State sole trader who carries out disability work for financial reward	97.60

	Fee units
5 Application for a replacement clearance card (Act, s 105(2)(b))	14.75
6 Application to cancel an exclusion (Act, s 131(1)(c))—	
(a) for an NDIS exclusion	119.00
(b) for a State exclusion	97.60

Part 3 Amendment of Working with Children (Risk Management and Screening) Regulation 2020

7 Regulation amended

This part amends the *Working with Children (Risk Management and Screening) Regulation 2020*.

8 Insertion of new s 7A

After section 7—

insert—

7A Rounding of amounts expressed as numbers of fee units

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
 - (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or

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- (b) if the result is more than \$100 but not more than \$1,000—to the nearest multiple of 10 cents (rounding one-half upwards).

Example—

If a fee were 35 fee units and the value of a fee unit were \$1.015, the number of dollars obtained by multiplying 35 by \$1.015 would be \$35.525. Because \$35.525 is halfway between \$35.50 and \$35.55, it is rounded upwards, so the amount of the fee would be \$35.55.

9 Replacement of sch 2 (Fees)

Schedule 2—

omit, insert—

Schedule 2 Fees

section 7

\$

- | | | |
|---|---|-------|
| 1 | Working with children check (general) application (Act, s 188(2))— | |
| | (a) if the application is made as a combined application under section 187A(2) of the Act | 15.00 |
| | (b) if the application is made by the holder of a disability clearance | 15.00 |
| | (c) if the application is made by a person who has made a disability worker screening application that has not been decided | 15.00 |
| 2 | Fee for the chief executive giving information under the <i>Education (Queensland College of Teachers) Act 2005</i> , s 15D (Act, s 401(3)) | 11.55 |

	Fee units
3 Eligibility application (Act, s 178(3)(c))	95.55
4 Working with children check (general) application, other than an application already mentioned in this schedule (Act, s 188(2))	95.55
5 Application to cancel negative notice (Act, s 304H(1)(d))	95.55
6 Replacement working with children card (Act, ss 347(2)(b) and 348(3))	14.45

ENDNOTES

- 1 Made by the Governor in Council on 23 June 2022.
- 2 Notified on the Queensland legislation website on 24 June 2022.
- 3 The administering agency is the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships.

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