New South Wales

Health Legislation Amendment (Fees) Regulation 2023

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the following Acts—

(a)   the *Assisted Reproductive Technology Act 2007*,

(b)   the *Mental Health Act 2007*,

(c)   the *Poisons and Therapeutic Goods Act 1966*,

(d)   the *Private Health Facilities Act 2007*.

RYAN PARK, MP
Minister for Health

Explanatory note

The object of this regulation is to increase certain licence and other fees charged under Acts administered by the Minister for Health.

This regulation is made under the following provisions—

(a)   the *Assisted Reproductive Technology Act 2007*, section 7(2) and (8),

(b)   the *Mental Health Act 2007*, sections 115(2)(b), 118(b) and 119,

(c)   the *Poisons and Therapeutic Goods Act 1966*, sections 17(1)(a1) and 24(1)(f),

(d)   the *Private Health Facilities Act 2007*, sections 6(2)(f), 8(4), 14(1), 15(3)(b), 16(2)(b), 17(2)(e) and 24(2)(b).

Health Legislation Amendment (Fees) Regulation 2023

1   Name of regulation

This regulation is the *Health Legislation Amendment (Fees) Regulation 2023*.

2   Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1   Amendment of Assisted Reproductive Technology Regulation 2014

[1]   Clause 4 Registration application fee: section 7(2)

Omit "$2,979". Insert instead "$3,207".

[2]   Clause 6 Annual registration fee: section 7(8)

Omit "$2,109" from clause 6(1). Insert instead "$2,270".

Schedule 2   Amendment of Mental Health Regulation 2019

[1]   Clause 46 Fees for private mental health facilities

Omit "$112" wherever occurring in clause 46(1) and (2). Insert instead "$120".

[2]   Clause 46(3)

Omit "$56". Insert instead "$60".

Schedule 3   Amendment of Poisons and Therapeutic Goods Regulation 2008

[1]   Clauses 155(2)(b) and 159

Omit "$90" wherever occurring. Insert instead "$96".

[2]   Clauses 160(3)(a), 164(a), 165(3)(a) and (4)(b) and 169(1)(a) and (2)(b)

Omit "$80" wherever occurring. Insert instead "$86".

[3]   Clauses 160(3)(b) and 164(b)

Omit "$533" wherever occurring. Insert instead "$574".

[4]   Clauses 165(3)(b) and 169(1)(b)

Omit "$710" wherever occurring. Insert instead "$765".

[5]   Clauses 165(4)(a) and 169(2)(a)

Omit "$18" wherever occurring. Insert instead "$19".

[6]   Clauses 165(4)(c) and 169(2)(c)

Omit "$356" wherever occurring. Insert instead "$383".

Schedule 4   Amendment of Private Health Facilities Regulation 2017

[1]   Clause 7 Applications for licence for private health facility

Omit "$7,367". Insert instead "$7,931".

[2]   Clause 8 Request for extension of approval in principle

Omit "$3,754". Insert instead "4,041".

[3]   Clause 9 Annual licence fees

Omit clause 9(1), Table. Insert instead—

Table

Column 1	Column 2
Number of patients licensed to be accommodated	**Licence fee**
Fewer than 51	$7,065
51–75	$8,783
76–100	$10,501
101–150	$13,938
151–200	$15,656
More than 200	$17,374

[4]   Clause 9(2)

Omit "$6,563". Insert instead "$7,065".

[5]   Clauses 10–13

Omit "$4,329" wherever occurring. Insert instead "$4,660".