



New South Wales

# Health Insurance Levies Amendment Bill 2024

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to provide for a new prescribed rate under the *Health Insurance Levies Act 1982* that is used to calculate the monthly levy payable under the Act.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1      **Amendment of Health Insurance Levies Act 1982** **No 159**

**Schedule 1[1] and [3]** provide for a base rate of \$3.27 to have effect as the prescribed rate under the *Health Insurance Levies Act 1982* (the *principal Act*) unless a different base rate is declared by regulations under the principal Act. The prescribed rate is the rate used to calculate the monthly levy payable under the principal Act.

**Schedule 1[4]** enables regulations under the principal Act to declare a base rate. A regulation declaring a base rate cannot be made after the base rate is automatically adjusted under the principal Act in 2025. The amendment also provides that a regulation declaring a base rate is an excluded instrument for the purposes of the *Subordinate Legislation Act 1989*.

**Schedule 1[2]** makes a consequential amendment.



New South Wales

# Health Insurance Levies Amendment Bill 2024

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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Health Insurance Levies Amendment Bill 2024**

No. \_\_\_\_\_, 2024

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### **A Bill for**

An Act to amend the *Health Insurance Levies Act 1982* to enable a base rate to be declared by the regulations; and for other purposes.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

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*Clerk of the Parliaments*

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Health Insurance Levies Amendment Act 2024*.

3

**2 Commencement**

4

This Act commences on a day or days to be appointed by proclamation.

5

<b>Schedule 1</b>	<b>Amendment of Health Insurance Levies Act 1982 No 159</b>	1 2
<b>[1] Section 4 Definitions</b>		3
	Insert in alphabetical order in section 4(1)—	4
	<i>base rate</i> means—	5
	(a) the base rate declared by the regulations under Schedule 3, clause 9, or	6
	(b) if no base rate is declared—\$3.27.	7
	<i>proclaimed month</i> means the first month to commence on or after the commencement of the <i>Health Insurance Levies Amendment Act 2024</i> .	8 9
<b>[2] Section 4(1), definition of “prescribed rate”, paragraph (e)</b>		10
	Omit “and for any month thereafter”.	11
	Insert instead “and for each month after July 1997 and before the proclaimed month”.	12
<b>[3] Section 4(1), definition of “prescribed rate”, paragraph (f)</b>		13
	Omit “Schedule 2.” from paragraph (e). Insert instead—	14
	Schedule 2, and	15
	(f) for the proclaimed month and for each month after the proclaimed month—the base rate, as adjusted from time to time in accordance with Schedule 2.	16 17 18
<b>[4] Schedule 3 Transitional provisions</b>		19
	Insert after Part 7—	20
<b>Part 8</b>	<b>Provision consequent on enactment of Health Insurance Levies Amendment Act 2024</b>	21 22
<b>9</b>	<b>Regulations may declare base rate</b>	23
	(1) The regulations may declare a base rate for this Act.	24
	(2) A base rate declared by a regulation has no effect in relation to a month that commences before the commencement of the regulation.	25 26
	(3) A regulation cannot be made under this clause after the operative date for 2025.	27 28
	(4) A regulation declaring a base rate is an excluded instrument for the purposes of the <i>Subordinate Legislation Act 1989</i> if the only other provisions contained in the regulation are provisions dealing with its citation and commencement.	29 30 31
	(5) In this clause—	32
	<i>operative date</i> , in a year, has the same meaning as in Schedule 2, clause 1(4).	33