Chiang Lim

From: Chiang Lim
Sent: Friday, 20 November 2026 1:57 PM
To: Daryl Currie (Commissioner)
Cc: [redacted] Biggs [redacted]; [redacted] Dawson
Subject: Requesting sector relief of paying by instalments to the NELC without 15% interest charges on the balance

Importance: High

Dear Mr Currie,

I had raised this with Ms Biggs and Ms Dawson last month but have not received any update since.

As you know, the NSW Early Learning Commission introduced up to 1,000% fee increases on all NSW-based early childhood education and care services (https://www.acecqa.gov.au/resources/applications/indexation-of-fees/indexed-fees-nsw-and-vic).

This came into legal effect on 1 July 2026 via Schedule 2A of the National Regulations (https://legislation.nsw.gov.au/view/html/inforce/current/sl-2025-601a#sch.2A).

While your Fees and Charges Policy (https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/operating-an-early-childhood-education-service/media/documents/policies/fees-and-charges-policy.pdf) does allow payments by instalments under Section 4.2, it also refers to a potential charge of 15% of the balance. This is based onb Regulation 235 (https://legislation.nsw.gov.au/view/html/inforce/current/sl-2025-601a#sec.235).

4.2 Collection of Fees

Section 261(2)(e) of the National Law and section 27B of the Supplementary Provisions allows the Commission to collect, waive, reduce, defer, and refund fees (including late payment fees) and to enter into agreements in relation to the prescribed fees under the National Law such as payment plans that allow for payment in instalments.

The Commission may charge a late payment fee if the approved provider does not pay the fee in full by the date(s) indicated on the invoice. The late fee is 15% of the annual fee for each 30 days (or part thereof) that the payment is overdue.

Given the seismic increase and the financial challenges faced by all NSW-based early childhood education and care services (including those with fee growth limits imposed by the Federal Government's Worker Retention Payments), paying in full can be difficult.

Can you please provide clear relief that all services can pay by monthly instalments without any interest charged, and those who have already paid since October 2026 can seek partial refunds so as to assist their financial and thus operational viabilities?

I look forward to your response.

Thanking you in anticipation.

ACA New South Wales

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