

2004-2005

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Aged Care Amendment (2005 Measures
No. 1) Bill 2005**

No. , 2005

(Ageing)

**A Bill for an Act to amend the law relating to aged
care, and for related purposes**

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1 **A Bill for an Act to amend the law relating to aged**
2 **care, and for related purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Aged Care Amendment (2005*
6 *Measures No. 1) Act 2005.*

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	
2. Schedules 1 to 7	A single day to be fixed by Proclamation. However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.	

1 Note: This table relates only to the provisions of this Act as originally
2 passed by the Parliament and assented to. It will not be expanded to
3 deal with provisions inserted in this Act after assent.

4 (2) Column 3 of the table contains additional information that is not
5 part of this Act. Information in this column may be added to or
6 edited in any published version of this Act.

7 **3 Schedule(s)**

8 Each Act that is specified in a Schedule to this Act is amended or
9 repealed as set out in the applicable items in the Schedule
10 concerned, and any other item in a Schedule to this Act has effect
11 according to its terms.

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Schedule 1—Flexible care

Aged Care Act 1997

1 Paragraph 56-3(a)

Repeal the paragraph, substitute:

- (a) to comply with the requirements of Division 57, and the User Rights Principles, in relation to any *accommodation bond charged for the care recipient’s *entry to the flexible care service through which the care is, or is to be, provided;
- (aa) to comply with the requirements of the User Rights Principles in relation to any *accommodation charge charged for the care recipient’s entry to the flexible care service through which the care is, or is to be, provided;

2 Section 57-1

After “residential care service”, insert “or flexible care service”.

3 Subsection 57-2(1)

After “residential care service” (first occurring), insert “, or flexible care service,”.

4 Subparagraph 57-2(1)(aa)(i)

Omit “the person”, substitute “if the accommodation bond is charged for the entry of the care recipient to a residential care service—the care recipient”.

5 At the end of paragraph 57-2(1)(aa)

Add:

- (iv) if the accommodation bond is charged for the entry of the care recipient to a flexible care service—the care recipient requires a level of care that corresponds to a *low level of residential care provided through a residential care service;

6 Paragraph 57-2(1)(a)