



Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Act 2020

No. 124, 2020

**An Act to amend the law in relation to home care
payments, and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Act 2020

No. 124, 2020

An Act to amend the law in relation to home care payments, and for related purposes

[Assented to 15 December 2020]

The Parliament of Australia enacts:

1 Short title

*This Act is the **Aged Care Legislation Amendment (Improved Home Care Payment Administration No. 1) Act 2020**.*

*No. 124, 2020 Aged Care Legislation Amendment (Improved Home Care Payment
Administration No. 1) Act 2020 1*

2 Commencement

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

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	1 February 2021 (F2020N00166)

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Aged Care Act 1997

1 Subsection 47-1(1)

Repeal the subsection, substitute:

- (1) *Home care subsidy is payable by the Commonwealth to an approved provider in respect of each *payment period (see section 47-2) during which the approved provider is eligible under section 46-1.

- (1A) However, *home care subsidy is not payable:

- (a) in respect of any days during a *payment period on which the approved provider is not eligible; or
(b) in respect of a payment period if the approved provider has not given to the Secretary, under section 47-4, a claim in respect of the payment period.

2 Section 47-3

Repeal the section.

3 Subsection 47-4(1)

Omit “(1)”.

4 Subsections 47-4(2) and (3)

Repeal the subsections.

Aged Care (Transitional Provisions) Act 1997

5 Subsection 47-1(1)

Repeal the subsection, substitute:

- (1) *Home care subsidy is payable by the Commonwealth to an approved provider in respect of each *payment period (see section 47-2) during which the approved provider is eligible under section 46-1.

(1A) However, *home care subsidy is not payable:

- (a) in respect of any days during a *payment period on which the approved provider is not eligible; or
- (b) in respect of a payment period if the approved provider has not given to the Secretary, under section 47-4, a claim in respect of the payment period.

6 Section 47-3

Repeal the section.

7 Subsection 47-4(1)

Omit “(1)”.

8 Subsections 47-4(2) and (3)

Repeal the subsections.

9 Application of amendments

The amendments of the *Aged Care Act 1997* and the *Aged Care (Transitional Provisions) Act 1997* made by this Schedule apply in relation to payment periods beginning on or after the day this item commences.

*[Minister’s second reading speech made in—
House of Representatives on 27 February 2020
Senate on 9 November 2020]*

(14/20)
