



Commonwealth of Australia

Aged Care Act 1997

User Rights Principles Amendment (No. 1) 1997

I, JUDI MOYLAN, Minister for Family Services, make the following Principles under subsection 96-1 (1) of the *Aged Care Act 1997*.

Dated 26. 9. 1997.

Minister for Family Services

1. Amendment

1.1 The User Rights Principles 1997 are amended as set out in these Principles.

2. Section 23.30 (Accommodation bond agreement required even if waiver is sought)

2.1 Add at the end:

- “(4) If the care recipient has a physical incapacity, a person nominated by the care recipient may sign the agreement for the care recipient.
- “(5) If the care recipient has a cognitive impairment, a person who is authorised to sign documents for the care recipient may sign the agreement for the care recipient.”.

3. Section 23.64 (Minimum amount of periodic payments)

3.1 Add at the end:

- “(2) The approved provider may charge the full amount of a periodic payment that is payable for the month in which the care recipient leaves the service.”.

4. Section 23.66 (Working out of amounts)

4.1 Subsections 23.66 (2) and (3) (formula):

Omit "TNY", substitute "IR".

4.2 Subsections 23.66 (2) and (3) (definition of "TNY"):

Omit the definition.

4.3 Subsections 23.66 (2) and (3):

Before the definition of "LS", insert:

"**IR** is:

- (a) the interest rate mentioned in the accommodation bond agreement;
and
- (b) not more than the Treasury Note yield for the month 2 months
before the month in which the entry day happens;"

5. Section 23.85 (Requirements for a resident agreement)

5.1 Paragraph 23.85 (b):

Omit "7", substitute "14".
