



User Rights Amendment Principles 2008 (No. 2)¹

Aged Care Act 1997

I, JUSTINE ELLIOT, Minister for Ageing, make these Principles under subsection 96-1 (1) of the *Aged Care Act 1997*.

Dated 19th September 2008

JUSTINE ELLIOT
Minister for Ageing

1 Name of Principles

These Principles are the *User Rights Amendment Principles 2008 (No. 2)*.

2 Commencement

These Principles commence on 20 September 2008.

3 Amendment of User Rights Principles

Schedule 1 amends the *User Rights Principles 1997*.

Schedule 1 Amendments

(section 3)

[1] Subsections 23.81P (5) to (8)

substitute

- (5) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) before 1 July 2004; and
 - (b) re-enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$15.76 is specified; or
 - (ii) on or after 20 September 2008 and before 20 March 2009 — \$16.20 is specified.
- (6) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) receives an income support payment; and
 - (c) enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$19.56 is specified; or
 - (ii) on or after 20 September 2008 and before 20 March 2009 — \$21.39 is specified.
- (7) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) does not receive an income support payment; and
 - (c) is receiving care through a service that meets the building requirements mentioned in section 21.11B of the *Residential Care Subsidy Principles 1997*; and
 - (d) enters care after 19 March 2008 and before 20 March 2009 — \$26.88 is specified.
- (8) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) does not receive an income support payment; and

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- (c) is receiving care through a service that does not meet the building requirements mentioned in section 21.11B of the *Residential Care Subsidy Principles 1997*; and
 - (d) enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$24.37 is specified; or
 - (ii) on or after 20 September 2008 and before 20 March 2009 — \$25.06 is specified.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.