



Allocation Amendment Principles 2003 (No. 1)

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

Dated

3 March 2003

Minister for Ageing

1 Name of Principles

These Principles are the *Allocation Amendment Principles 2003 (No. 1)*.

2 Commencement

These Principles commence on gazettal.

3 Amendment of *Allocation Principles 1997*

Schedule 1 amends the *Allocation Principles 1997*.

Schedule 1 Amendments

(section 3)

[1] Section 4.3, definition of *government officer*

omit

Commonwealth or a State.

insert

Commonwealth, a State or a local government authority.

[2] Section 4.3, after definition of *State*

insert

veteran means a person who is:

- (a) a veteran of the Australian Defence Force or of an allied defence force;
or
- (b) a spouse, widow or widower of a person mentioned in paragraph (a).

[3] Section 4.4B

substitute

4.4B Veterans

People who are veterans are specified.

[4] Section 4.17

substitute

4.17 Members

- (1) A committee consists of a chairperson, a deputy chairperson and at least 6, and not more than 9, other members.
- (2) At least 2 members of a committee must be government officers.
- (3) At least 6 members of a committee (the ***non-government members***) must not be government officers.
- (4) The members of a committee are to be appointed by the Secretary.

4.17A Deputy chairperson to act as chairperson

- (1) The deputy chairperson of a committee is to act as chairperson during any period when:
 - (a) the office of chairperson is vacant (whether or not an appointment has been made to that office before); or
 - (b) the chairperson is absent from Australia or is, for any reason, unable to perform the duties of that office.
- (2) While the deputy chairperson acts as chairperson, the deputy chairperson has all the powers and duties of the chairperson.
- (3) Anything done by or in relation to a person purporting to act as chairperson under subsection (1) is not invalid merely because:
 - (a) there was a defect or irregularity in connection with the person's appointment as deputy chairperson; or
 - (b) the person's appointment as deputy chairperson had ceased to have effect; or
 - (c) the occasion for the person to act as chairperson had not arisen or had ceased.

[5] After subsection 4.18 (2)

insert

- (2A) A government officer may be chosen for appointment as a member of a committee only if he or she:
 - (a) is nominated by the government, or local government authority, of which he or she is an officer or employee; and
 - (b) has experience in the administration or delivery of aged care services by:
 - (i) that government or authority; or
 - (ii) if the government officer is an officer or employee of a State or a local government authority — another State or local government authority.
- (2B) For appointment as a chairperson or deputy chairperson of a committee, a person may be chosen only if he or she also has leadership experience that is relevant to the committee's function mentioned in section 4.12.
- (2C) The Secretary must ensure, as far as practicable, that members of a committee who are government officers, between them, have knowledge of, or experience in, each of the following:
 - (a) aged care policy;
 - (b) aged care funding programs;
 - (c) aged care planning processes;
 - (d) the delivery of aged care services to people from culturally or linguistically diverse backgrounds;

- (e) the delivery of aged care services to people from Aboriginal and Torres Strait Islander communities;
- (f) the delivery of aged care services to people living in rural and remote areas;
- (g) the delivery of aged care services to veterans.

[6] Paragraph 4.18 (3) (c)

after

aged care

insert

services

[7] Paragraph 4.18 (3) (f)

omit

ex-servicemen and ex-servicewomen.

insert

veterans.

[8] Sections 4.27 and 4.28

substitute

4.27 Presiding member and quorum

- (1) The chairperson of a committee must preside at each meeting of the committee.
- (2) At a meeting of a committee, a majority of members that includes the chairperson forms a quorum.

Note The chairperson includes the deputy chairperson acting as chairperson: see subsection 4.17A (2).