User Rights Amendment Principles 2012 (No. 1)[1]

Aged Care Act 1997

I, MARK BUTLER, Minister for Mental Health and Ageing, make these Principles under subsection 96-1(1) of the *Aged Care Act 1997*.

Dated 14th March 2012

MARK BUTLER
Minister for Mental Health and Ageing

1 Name of Principles

These Principles are the *User Rights Amendment Principles 2012 (No. 1).*

2 Commencement

These Principles commence on 20 March 2012.

3 Amendment of User Rights Principles

Schedule 1 amends the *User Rights Principles 1997*.

Schedule 1 Amendments

(section 3)

[1] Section 23.81P (5)

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;

(ii) on or after 20 September 2008 and before 20 March 2009—$16.20 is specified;

(iii) on or after 20 March 2009 and before 20 September 2009—$16.35 is specified;

(iv) on or after 20 September 2009 and before 20 March 2010—$16.48 is specified;

(v) on or after 20 March 2010 and before 20 September 2010—$16.73 is specified;

(vi) on or after 20 September 2010 and before 20 March 2011—$16.99 is specified;

(vii) on or after 20 March 2011 and before 20 September 2011—$17.18 is specified;

(viii) on or after 20 September 2011 and before 20 March 2012—$17.60 is specified; or

(ix) on or after 20 March 2012 and before 20 September 2012—$17.71 is specified.

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[2] Section 23.81P (6)

substitute

(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;

(ii) on or after 20 September 2008 and before 20 March 2009—$21.39 is specified;

(iii) on or after 20 March 2009 and before 20 September 2009—$23.22 is specified;

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(iv) on or after 20 September 2009 and before 20 March 2010—$25.05 is specified;

(v) on or after 20 March 2010 and before 20 September 2010—$26.88 is specified;

(vi) on or after 20 September 2010 and before 20 March 2011—$28.72 is specified;

(vii) on or after 20 March 2011 and before 20 September 2011—$30.55 is specified;

(viii) on or after 20 September 2011 and before 20 March 2012—$32.38 is specified; or

(ix) on or after 20 March 2012 and before 20 September 2012—$32.58 is specified.

[3] Section 23.81P (7)

substitute

(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:

(i) after 19 March 2008 and before 20 September 2010 — $26.88 is specified;

(ii) on or after 20 September 2010 and before 20 March 2011 —$28.72 is specified;

(iii) on or after 20 March 2011 and before 20 September 2011 — $30.55 is specified;

(x) on or after 20 September 2011 and before 20 March 2012 — $32.38 is specified: or

(xi) on or after 20 March 2012 and before 20 September 2012 - $32.58 is specified.

[4] Section 23.81P (8)

substitute

(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;

(ii) on or after 20 September 2008 and before 20 March 2009—$25.06 is specified;

(iii) on or after 20 March 2009 and before 20 September 2009—$25.28 is specified;

(iv) on or after 20 September 2009 and before 20 March 2010—$25.49 is specified;

(v) on or after 20 March 2010 and before 20 September 2010—$25.87 is specified;

(vi) on or after 20 September 2010 and before 20 March 2011—$26.27 is specified;

(vii) on or after 20 March 2011 and before 20 September 2011—$26.56 is specified;

(xii) on or after 20 September 2011 and before 20 March 2012—$27.22 is specified; or

(xiii) on or after 20 March 2012 and before 20 September 2012—$27.39 is specified.

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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.