



User Rights Amendment Principles 2012 (No. 3)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 11 September 2012

MARK BUTLER
Minister for Mental Health and Ageing

1 Name of Principles

These Principles are the *User Rights Amendment Principles 2012 (No. 3)*.

2 Commencement

These Principles commence on 20 September 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;
 - (ix) on or after 20 March 2012 and before 20 September 2012—\$17.71 is specified; or
 - (x) on or after 20 September 2012 and before 20 March 2013 — \$17.81 is specified

[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;
- (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;
- (ix) on or after 20 March 2012 and before 20 September 2012 — \$32.58 is specified; or
- (x) on or after 20 September 2012 and before 20 March 2013 — \$32.76 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;
 - (iv) on or after 20 September 2011 and before 20 March 2012 — \$32.38 is specified;
 - (v) on or after 20 March 2012 and before 20 September 2012 - \$32.58 is specified; or
 - (vi) on or after 20 September 2012 and before 20 March 2013 — \$32.76 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
 - (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;
 - (viii) on or after 20 September 2011 and before 20 March 2012 — \$27.22 is specified;
 - (ix) on or after 20 March 2012 and before 20 September 2012—\$27.39 is specified; or
 - (x) on or after 20 September 2012 and before 20 March 2013 — \$27.54 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>.