



# Approved Provider Principles 2014

made under section 96-1 of the

*Aged Care Act 1997*

## Compilation No. 1

**Compilation date:** 27 February 2017

**Includes amendments up to:** F2016L01492

**Registered:** 27 February 2017

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Approved Provider Principles 2014* that shows the text of the law as amended and in force on 27 February 2017 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## **Part 1—Preliminary**

### **1 Name of principles**

These principles are the *Approved Provider Principles 2014*.

### **3 Authority**

These principles are made under section 96-1 of the *Aged Care Act 1997*.

### **4 Definitions**

In these principles:

*Act* means the *Aged Care Act 1997*.

***application*** means an application under section 8-2 of the Act.

Note: ***Key personnel*** is defined in the Act.

## **Part 3—Requests for further information**

### **12 Purpose of this Part**

For subsection 8-4(4) of the Act, this Part specifies the circumstances in which the Secretary may exercise the power under subsection 8-4(1) of the Act to specify a shorter period within which an applicant may give further information in support of an application.

### **13 Circumstances in which Secretary may require further information to be given within shorter period**

The Secretary may exercise the power only if the Secretary reasonably believes:

- (a) that care for care recipients may be prejudiced by delay in deciding whether to approve the applicant as a provider of aged care; or
- (b) that the applicant, or one of the applicant's key personnel, has:
  - (i) been refused approval as a provider of aged care; or
  - (ii) had approval as a provider of aged care revoked under subsection 10-3(1) of the Act.

Example: For paragraph (a), care for care recipients may be prejudiced by delay in deciding whether to approve an applicant as a provider of aged care if approved places have been transferred and it is necessary to relocate care recipients.

## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnote 3—Legislation history

## Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Approved Provider Principles 2014	12 June 2014 (F2014L00698)	1 July 2014 (s 2)	
Aged Care Legislation Amendment (Increasing Consumer Choice) Principles 2016	23 Sept 2016 (F2016L01492)	Sch 1 (items 28, 29): 27 Feb 2017 (s 2(1) item 3)	—

## Endnotes

### Endnote 4—Amendment history

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#### Endnote 4—Amendment history

Provision affected	How affected
<b>Part 1</b>	
s 2 .....	rep LA s 48D
s 4 .....	am F2016L01492
<b>Part 2</b>	
Part 2 .....	rep F2016L01492
s 5 .....	rep F2016L01492
s 6 .....	rep F2016L01492
s 7 .....	rep F2016L01492
s 8 .....	rep F2016L01492
s 9 .....	rep F2016L01492
s 10 .....	rep F2016L01492
s 11 .....	rep F2016L01492