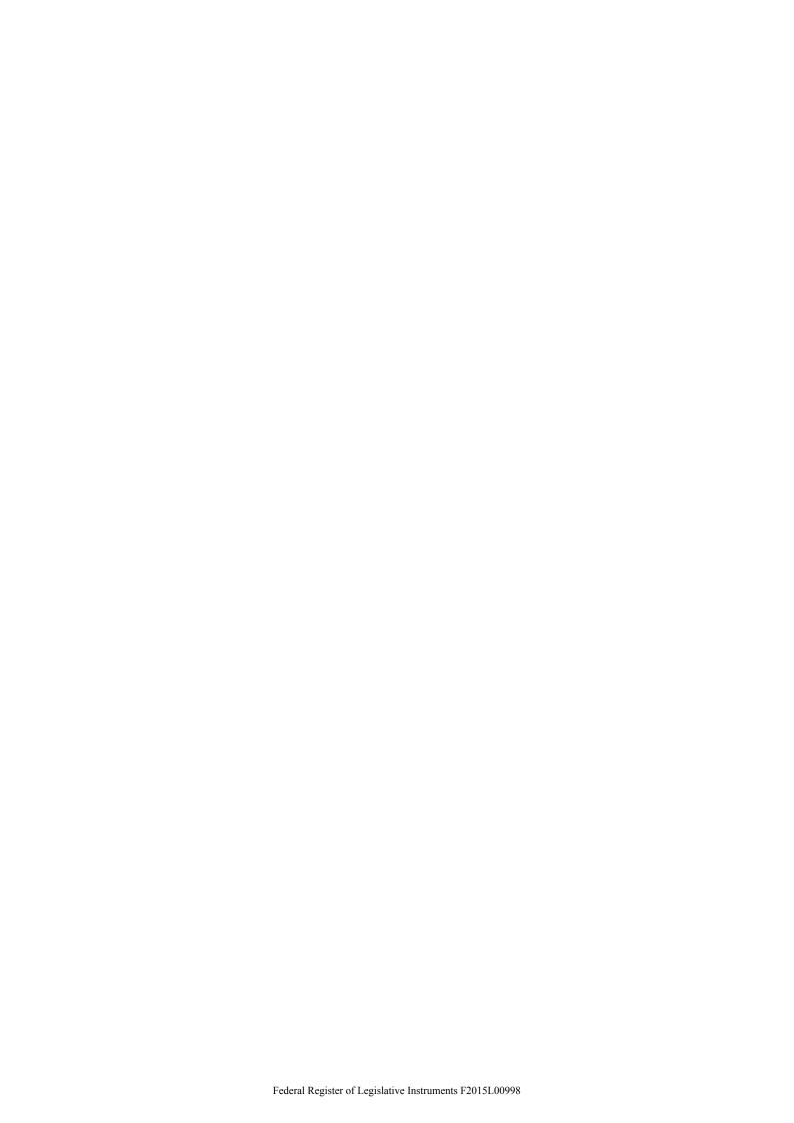


Aged Care Legislation Amendment (Removal of Certification and Other Measures) Principles 2015

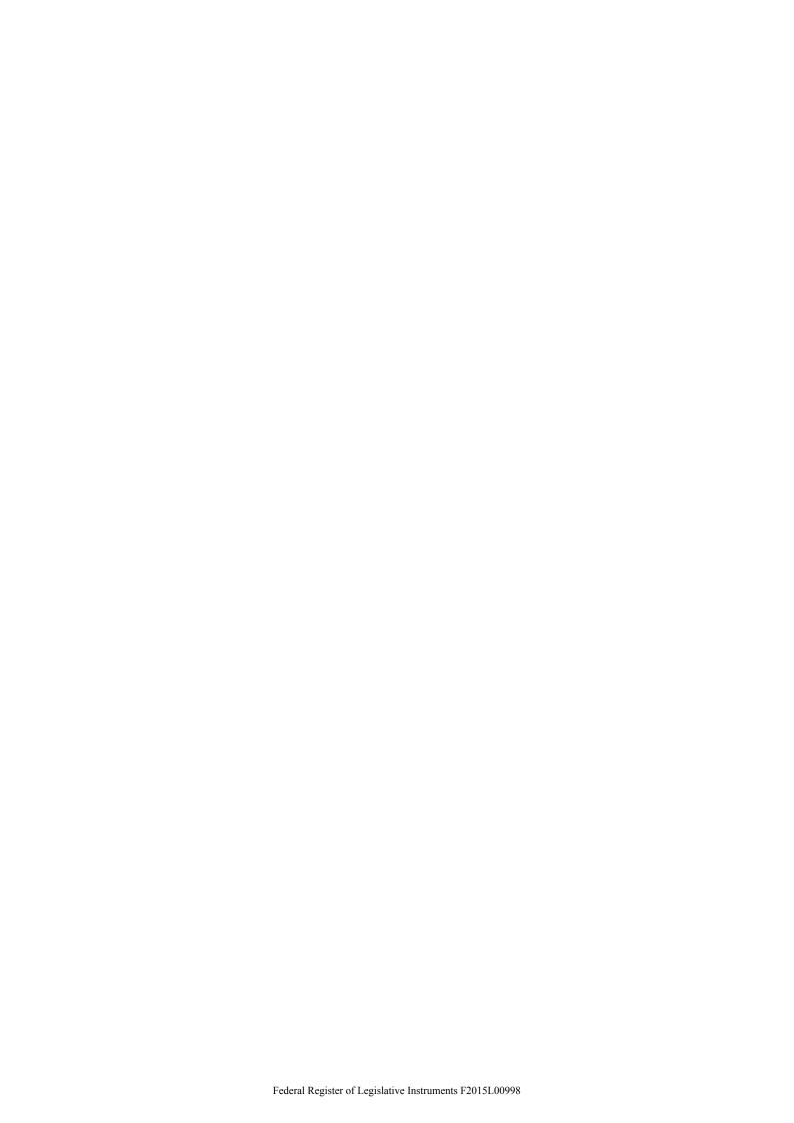
I, Mitch Fifield, Assistant Minister for Social Services, make the following principles.

Dated 26 June 2015

Mitch Fifield Assistant Minister for Social Services



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1 Name

This is the *Aged Care Legislation Amendment (Removal of Certification and Other Measures) Principles 2015.*

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information			
Column 1	Column 2	Column 3	
Provisions	Commencement	Date/Details	
1. The whole of this instrument	The day after this instrument is registered.		

Note:

This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 96-1 of the Aged Care Act 1997.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Part 1—Amendments relating to removal of certification

Accountability Principles 2014

1 Section 4 (definition of certification assessor)

Repeal the definition.

2 Section 4 (subparagraph (a)(i) of the definition of relevant official)

Repeal the subparagraph.

3 Subdivision A of Division 1 of Part 2

Repeal the Subdivision.

4 Paragraph 19(b)

Omit "paragraph 63-1(1)(j) or (m)", substitute "paragraph 63-1(1)(m)".

5 Section 23

Omit "paragraph 63-1(1)(j) or (m)", substitute "paragraph 63-1(1)(m)".

6 Subparagraph 23(a)(i)

Repeal the subparagraph.

Allocation Principles 2014

7 Subparagraphs 48(2)(g)(i) and (ii)

Omit "or the criteria for certification under the Act".

8 Subparagraph 51(1)(d)(i)

Repeal the subparagraph.

9 Subparagraphs 59(2)(d)(i) and (ii)

Omit "or the criteria for certification under the Act".

10 Paragraph 62(1)(b)

Repeal the paragraph.

Fees and Payments Principles 2014 (No. 2)

11 Paragraphs 46(2)(d) and 47(2)(d)

Repeal the paragraphs.

Part 2—Amendments relating to accommodation supplement

Subsidy Principles 2014

12 Section 4

Insert:

newly built residential care service has the meaning given by section 50 of the *Aged Care (Subsidy, Fees and Payments) Determination 2014.*

post-2008 reform resident has the meaning given by section 44-5C of the *Aged Care (Transitional Provisions) Act 1997.*

relevant resident means a care recipient to whom residential care (other than respite care) is being provided through a residential care service and who:

- (a) is not being provided with care on an extra service basis; and
- (b) enters the service:
 - (i) if the service was certified on 1 October 1997—after 30 September 1997; or
 - (ii) if the service was certified after 1 October 1997—after the date the service is certified; or
 - (iii) on or after 17 October 2014.

significantly refurbished residential care service means a residential care service in relation to which a determination under subsection 52(1) or 53(1) is in effect.

13 Section 50

Repeal the section, substitute:

50 Matters on which determination of accommodation supplement amount may be based

The Minister may determine the amount of accommodation supplement, or a method for working out the amount of accommodation supplement, payable for a day for a care recipient who is being provided with residential care (other than respite care) through a residential care service, based on any of the following:

- (a) whether the service is:
 - (i) a newly built residential care service; or
 - (ii) a significantly refurbished residential care service;
- (b) whether the service meets the building requirements specified in Schedule 1 to the *Aged Care (Transitional Provisions) Principles 2014*;
- (c) whether more than 40% of care recipients to whom the service provides residential care, who are both post-2008 reform residents and relevant residents, are low-means care recipients or supported residents;
- (d) whether more than 40% of relevant residents to whom the service provides residential care are assisted residents, concessional residents, low-means care recipients or supported residents.

Note 1: Relevant resident is defined in section 4.

Note 2:	See section 44-28 of the Act for other matters that may affect whether accommodation supplement is payable, and the amount of accommodation supplement that may be payable, in respect of a payment period for the care recipient.

Part 3—Other amendments

Subsidy Principles 2014

14 Paragraph 83(2)(b)

After "nurse practitioner", insert ", clinical psychologist".

15 Paragraph 83(3)(c)

After "nurse practitioner", insert ", clinical psychologist".