

Financial Framework (Supplementary Powers) Amendment (Health and Aged Care Measures No. 5) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 26 October 2023

David Hurley

Governor‑General

By His Excellency’s Command

Katy Gallagher

Minister for Finance

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1 Name

This instrument is the *Financial Framework (Supplementary Powers) Amendment (Health and Aged Care Measures No. 5) Regulations 2023*.

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. | 27 October 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 the *Financial Framework (Supplementary Powers) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Financial Framework (Supplementary Powers) Regulations 1997

1 In the appropriate position in Part 3 of Schedule 1AB (table)

Insert:

|  |  |  |
| --- | --- | --- |
| 75 | Grant to Royal Children’s Hospital Good Friday Appeal | To provide funding to the Royal Children’s Hospital Good Friday Appeal to support the Royal Children’s Hospital with its implementation of the Melbourne Children’s Campus Mental Health Strategy, as a measure to give effect to Australia’s obligations under either or both of the following:  (a) the Convention on the Rights of the Child, particularly Articles 4 and 24;  (b) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 12. |

2 In the appropriate position in Part 4 of Schedule 1AB (table)

Insert:

|  |  |  |
| --- | --- | --- |
| 637 | Aged Care Work Value Case—historical leave provisions | To implement the outcome of the Fair Work Commission’s decision on the Aged Care Work Value Case by assisting aged care and veterans’ care service providers to meet the costs of historical leave provisions for aged care and veterans’ care service workers.  This objective has the effect it would have if it were limited to measures:  (a) to support veterans and their families; or  (b) for the provision of, or incidental to the provision of, sickness benefits (within the meaning of paragraph 51(xxiiiA) of the Constitution); or  (c) with respect to Indigenous Australians and particular groups of Indigenous Australians; or  (d) involving the granting of financial assistance to a State or Territory; or  (e) undertaken in, or in relation to, a Territory. |
| 638 | Aged Care Worker COVID-19 Leave Payments | To provide, as a sickness benefit (within the meaning of paragraph 51(xxiiiA) of the Constitution), payments to individuals (through the reimbursement of payments made by an individual’s employer) who:  (a) provide aged care services (including home care services); and  (b) are unable to earn their usual income due to testing positive for the coronavirus known as COVID‑19; and  (c) have, or had, no available paid sick leave entitlements to cover the period of their inability to earn their usual income. |