



Health and Other Services (Compensation) Care Charges (Amendment) Act 2014

No. 127, 2014

**An Act to amend the *Health and Other Services
(Compensation) Care Charges Act 1995*, and for
related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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**An Act to amend the *Health and Other Services
(Compensation) Care Charges Act 1995*, and for
related purposes**

[Assented to 4 December 2014]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Health and Other Services
(Compensation) Care Charges (Amendment) Act 2014*.

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2 Commencement

- (1) Each provision of this Act 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. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	4 December 2014
2. Schedule 1	1 July 2015.	1 July 2015

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

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

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Health and Other Services (Compensation) Care Charges Act 1995

1 Section 7 (heading)

Repeal the heading, substitute:

7 Charge on compensation in respect of reimbursements for nursing home care, residential care or home care

2 Paragraph 7(1)(b)

Omit “or residential”, substitute “, residential care or home”.

3 Paragraph 7(2)(a)

Omit “or residential”, substitute “, residential care or home”.

4 Paragraph 7(2)(aa)

Repeal the paragraph, substitute:

(aa) nursing home benefit, residential care subsidy or home care subsidy has been paid in respect of the nursing home care, residential care or home care; and

5 Paragraph 7(2)(b)

Omit “or residential”, substitute “, residential care or home”.

6 Subsection 7(2)

Omit “the nursing home benefit or residential care” (wherever occurring), substitute “the nursing home benefit, residential care subsidy or home care”.

7 Section 8 (heading)

Repeal the heading, substitute:

8 Charge on compensation in respect of past payments of nursing home benefit, residential care subsidy or home care subsidy

8 Paragraph 8(1)(b)

Omit “or residential”, substitute “, residential care or home”.

9 Paragraph 8(1)(ba)

Repeal the paragraph, substitute:

(ba) nursing home benefit, residential care subsidy or home care subsidy has already been paid in respect of that nursing home care, residential care or home care; and

10 Paragraph 8(1)(c)

Omit “or residential care”, substitute “, residential care subsidy or home care”.

11 Subsection 8(1)

Omit “the nursing home benefit or residential care”, substitute “the nursing home benefit, residential care subsidy or home care”.

12 Paragraph 8(3)(a)

Omit “or residential care”, substitute “, residential care expenses or home care”.

13 Application of amendments

- (1) The amendments made by items 1 to 6 of this Schedule apply in relation to a reimbursement arrangement made in respect of an injury to a compensable person if:
- (a) the arrangement is made on or after the day on which this Schedule commences; and
 - (b) the person is entitled, under the arrangement, to compensation by way of reimbursement of expenses incurred in respect of home care provided to the person in the course of treatment of, or as a result of, the injury.

- (2) The amendments made by items 7 to 12 of this Schedule apply in relation to a judgment or settlement made in respect of an injury to a compensable person if:
- (a) the judgment or settlement is made on or after the day on which this Schedule commences; and
 - (b) home care is provided to that person in the course of treatment of, or as a result of, the injury; and
 - (c) home care subsidy is paid in respect of that home care.
- (3) For the purposes of subitems (1) and (2), it does not matter:
- (a) when the injury occurred; or
 - (b) when a particular payment of home care subsidy is made.
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*[Minister's second reading speech made in—
House of Representatives on 25 September 2014
Senate on 28 October 2014]*

(200/14)

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