



Aged Care (Single Quality Framework) Reform Act 2018

No. 102, 2018

**An Act to amend the law relating to aged care, and
for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 102, 2018

**An Act to amend the law relating to aged care, and
for related purposes**

[Assented to 21 September 2018]

The Parliament of Australia enacts:

1 Short title

This Act is the *Aged Care (Single Quality Framework) Reform Act 2018*.

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. The whole of this Act	1 July 2019.	1 July 2019

Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Aged Care Act 1997

1 Paragraphs 54-1(1)(d) to (g)

Repeal the paragraphs, substitute:

- (d) to comply with the Aged Care Quality Standards made under section 54-2;

2 Sections 54-2 to 54-5

Repeal the sections, substitute:

54-2 Aged Care Quality Standards

- (1) The Quality of Care Principles may set out Aged Care Quality Standards. Aged Care Quality Standards are standards for quality of care and quality of life for the provision of *aged care.
- (2) The Aged Care Quality Standards may set out different standards for different kinds of *aged care.

3 Paragraph 86-9(1)(k)

After “Act”, insert “or the *Australian Aged Care Quality Agency Act 2013*”.

Australian Aged Care Quality Agency Act 2013

4 Section 3 (definition of Accreditation Standards)

Repeal the definition.

5 Section 3

Insert:

Aged Care Quality Standards means the Aged Care Quality Standards set out in the Quality of Care Principles made under section 96-1 of the *Aged Care Act 1997*.

6 Section 3 (definition of *Home Care Standards*)

Repeal the definition.

7 Paragraphs 12(a) and (b)

Repeal the paragraphs, substitute:

- (a) to accredit residential care services in accordance with the Quality Agency Principles;
- (b) to conduct the quality review of home care services in accordance with the Quality Agency Principles;

8 Paragraph 12(d)

Omit “Accreditation Standards or the Home Care Standards”, substitute “Aged Care Quality Standards”.

Freedom of Information Act 1982

9 Schedule 3

Insert:

Australian Aged Care Quality Agency Act 2013, subsection 48(1) and section 50

10 Transitional rules

- (1) The Minister may, by legislative instrument, make rules prescribing matters of a transitional nature (including prescribing any saving or application provisions) relating to the amendments or repeals made by this Act.
- (2) To avoid doubt, the rules may not do the following:
 - (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure;
 - (c) impose a tax;
 - (d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;
 - (e) directly amend the text of this Act.

*[Minister's second reading speech made in—
House of Representatives on 24 May 2018
Senate on 25 June 2018]*

(160/18)

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