

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

Contents

1 Short title 1

2 Commencement 2

3 Schedules 2

Schedule 1—Amendments 3

Aged Care Act 1997 3

Australian Aged Care Quality Agency Act 2013 3

Freedom of Information Act 1982 4



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Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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