

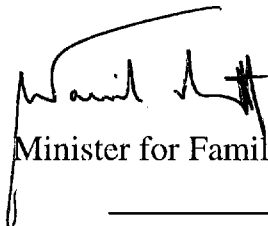
Commonwealth of Australia

Aged Care Act 1997

Allocation Amendment Principles (No. 1) 1998

I, WARWICK LESLIE SMITH, Minister for Family Services, make the following Principles under subsection 96-1 (1) of the *Aged Care Act 1997*.

Dated 29 June 1998.


Minister for Family Services

1. Name of Principles

1.1 These Principles are the *Allocation Amendment Principles (No. 1) 1998*.

2. Commencement

2.1 These Principles commence on gazettal.

3. Amendment

3.1 The *Allocation Principles 1997*¹ are amended as set out in these Principles.

4. Section 4.3 (Definitions)

4.1 Insert the following definition:

“**Accreditation Standards** means the Accreditation Standards in Schedule 2 of the *Quality of Care Principles 1997*.”.

Note For the second note after section 4.3, substitute:

“Note: Definitions

A number of expressions used in these Principles are defined in the *Aged Care Act 1997* (see Dictionary in Schedule 1), including:

- accommodation bond balance
- aged care
- approved provider
- care
- certified
- place
- provisional allocation
- provisional allocation period
- relinquish
- residential care
- respite care.”.

5. Section 4.63 (Additional matters)

5.1 Subsection 4.63 (1):

Add at the end:

- “; and (e) if, after the transfer, the places would relate to the same aged care service:
- (i) the suitability of the premises being used by the transferor, and proposed to be used by the transferee, to provide care through the aged care service, in particular whether the premises would meet the Accreditation Standards or the criteria for certification under the Act; and
 - (ii) for a transferee who owns the premises being used by the transferor, and proposed to be used by the transferee, to provide care through the aged care service and the premises would not meet the Accreditation Standards or the criteria for certification under the Act—the failure of the transferee to have improved the premises.”.

NOTE

1. *Allocation Principles 1997* notified in the *Commonwealth of Australia Gazette* on 29 September 1997, as amended by *Allocation Principles Amendment (No. 1) 1997*, notified in the *Gazette* on 14 January 1998.