



User Rights Amendment (September Indexation Measures) Principle 2013

I, KEVIN ANDREWS, Minister for Social Services, make the following principle under the *Aged Care Act 1997*.

Dated: 19 September 2013

Kevin Andrews
Minister for Social Services

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1 Name of principle

This principle is the *User Rights Amendment (September Indexation Measures) Principle 2013*.

2 Commencement

This principle commences on 20 September 2013.

3 Authority

This principle is made under the *Aged Care Act 1997*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

User Rights Principles 1997

1 Subsection 23.81P (5)

Repeal the subsection, substitute:

- (5) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) before 1 July 2004; and
 - (b) re-enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$15.76 is specified;
 - (ii) on or after 20 September 2008 and before 20 March 2009 — \$16.20 is specified;
 - (iii) on or after 20 March 2009 and before 20 September 2009 — \$16.35 is specified;
 - (iv) on or after 20 September 2009 and before 20 March 2010 — \$16.48 is specified;
 - (v) on or after 20 March 2010 and before 20 September 2010 — \$16.73 is specified;
 - (vi) on or after 20 September 2010 and before 20 March 2011 — \$16.99 is specified;
 - (vii) on or after 20 March 2011 and before 20 September 2011 — \$17.18 is specified;
 - (viii) on or after 20 September 2011 and before 20 March 2012 — \$17.60 is specified;
 - (ix) on or after 20 March 2012 and before 20 September 2012 — \$17.71 is specified;
 - (x) on or after 20 September 2012 and before 20 March 2013 — \$17.81 is specified;
 - (xi) on or after 20 March 2013 and before 20 September 2013 — \$18.10 is specified; or
 - (xii) on or after 20 September 2013 and before 20 March 2014 — \$18.24 is specified.

2 Subsection 23.81P (6)

Repeal the subsection, substitute:

- (6) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
- (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) receives an income support payment; and
 - (c) enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$19.56 is specified;

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- (ii) on or after 20 September 2008 and before 20 March 2009 — \$21.39 is specified;
 - (iii) on or after 20 March 2009 and before 20 September 2009 — \$23.22 is specified;
 - (iv) on or after 20 September 2009 and before 20 March 2010 — \$25.05 is specified;
 - (v) on or after 20 March 2010 and before 20 September 2010 — \$26.88 is specified;
 - (vi) on or after 20 September 2010 and before 20 March 2011 — \$28.72 is specified;
 - (vii) on or after 20 March 2011 and before 20 September 2011 — \$30.55 is specified;
 - (viii) on or after 20 September 2011 and before 20 March 2012 — \$32.38 is specified;
 - (ix) on or after 20 March 2012 and before 20 September 2012 — \$32.58 is specified;
 - (x) on or after 20 September 2012 and before 20 March 2013 — \$32.76 is specified;
 - (xi) on or after 20 March 2013 and before 20 September 2013 — \$33.29 is specified; or
 - (xii) on or after 20 September 2013 and before 20 March 2014 — \$33.55 is specified.

3 Subsection 23.81P (7)

Repeal the subsection, substitute:

- (7) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
 - (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) does not receive an income support payment; and
 - (c) is receiving care through a service that meets the building requirements mentioned in section 21.11B of the *Residential Care Subsidy Principles 1997*; and
 - (d) enters care:
 - (i) after 19 March 2008 and before 20 September 2010 — \$26.88 is specified;
 - (ii) on or after 20 September 2010 and before 20 March 2011 — \$28.72 is specified;
 - (iii) on or after 20 March 2011 and before 20 September 2011 — \$30.55 is specified;
 - (iv) on or after 20 September 2011 and before 20 March 2012 — \$32.38 is specified;
 - (v) on or after 20 March 2012 and before 20 September 2012 — \$32.58 is specified;
 - (vi) on or after 20 September 2012 and before 20 March 2013 — \$32.76 is specified;

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- (vii) on or after 20 March 2013 and before 20 September 2013 — \$33.29 is specified; or
 - (viii) on or after 20 September 2013 and before 20 March 2014 — \$33.55 is specified.

4 Subsection 23.81P (8)

Repeal the subsection, substitute:

- (8) For paragraph 57A-6 (1) (c) of the Act, for a post-2008 reform resident who:
 - (a) first entered a residential care service for the provision of residential care (other than respite care) after 30 June 2004; and
 - (b) does not receive an income support payment; and
 - (c) is receiving care through a service that does not meet the building requirements mentioned in section 21.11B of the *Residential Care Subsidy Principles 1997*; and
 - (d) enters care:
 - (i) after 19 March 2008 and before 20 September 2008 — \$24.37 is specified;
 - (ii) on or after 20 September 2008 and before 20 March 2009 — \$25.06 is specified;
 - (iii) on or after 20 March 2009 and before 20 September 2009 — \$25.28 is specified;
 - (iv) on or after 20 September 2009 and before 20 March 2010 — \$25.49 is specified;
 - (v) on or after 20 March 2010 and before 20 September 2010 — \$25.87 is specified;
 - (vi) on or after 20 September 2010 and before 20 March 2011 — \$26.27 is specified;
 - (vii) on or after 20 March 2011 and before 20 September 2011 — \$26.56 is specified;
 - (viii) on or after 20 September 2011 and before 20 March 2012 — \$27.22 is specified;
 - (ix) on or after 20 March 2012 and before 20 September 2012 — \$27.39 is specified;
 - (x) on or after 20 September 2012 and before 20 March 2013 — \$27.54 is specified;
 - (xi) on or after 20 March 2013 and before 20 September 2013 — \$27.98 is specified; or
 - (xii) on or after 20 September 2013 and before 20 March 2014 — \$28.20 is specified.