



# **Sanctions Amendment (Appointment of Administrators and Advisers) Principles 2017**

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I, Ken Wyatt, Minister for Aged Care, make the following principles.

Dated 6 February 2017

Ken Wyatt, AM MP  
Minister for Aged Care

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## 1 Name

This instrument is the *Sanctions Amendment (Appointment of Administrators and Advisers) Principles 2017*.

## 2 Commencement

- (1) Each provision of this instrument 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 instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

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

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

### *Sanctions Principles 2014*

#### **1 Part 3**

Repeal the Part, substitute:

### **Part 3—Administration of sanctions**

#### **7 Purpose of this Part**

This Part specifies:

- (a) for subsection 66A-2(1) of the Act—the class of persons excluded from being appointed as an adviser; and
- (b) for subsection 66A-2(4) of the Act—the matters that the Secretary must take into account in specifying the period within which an approved provider must appoint an adviser; and
- (c) for section 66A-3(1) of the Act—the class of persons excluded from being appointed as an administrator; and
- (d) for subsection 66A-3(4) of the Act—the matters that the Secretary must take into account in specifying the period within which an approved provider must appoint an administrator.

#### **8 Class of persons excluded from being appointed as an adviser**

For subsection 66A-2(1) of the Act, disqualified individuals are excluded from being appointed as an adviser.

#### **9 Matters to be taken into account in specifying period for appointing an adviser**

For subsection 66A-2(4) of the Act, in specifying the period within which an approved provider must appoint an adviser, the Secretary must take into account:

- (a) the location of the aged care service specified in the section 67-5 notice, including whether it is in a metropolitan, regional, rural or remote location;
- (b) the nature of the approved provider's non-compliance ; and
- (c) any other relevant matter.

#### **10 Class of persons excluded from being appointed as an administrator**

For subsection 66A-3(1) of the Act, disqualified individuals are excluded from being appointed as an administrator.

#### **11 Matters to be taken into account in specifying period for appointing an administrator**

For subsection 66A-3(4) of the Act, in specifying the period within which an approved provider must appoint an administrator, the Secretary must take into account:

- (a) the location of the aged care service specified in the section 67-5 notice, including whether it is in a metropolitan, regional, rural or remote location;
- (b) the nature of the approved provider's non-compliance; and
- (c) any other relevant matter.