



# **Aged Care Legislation Amendment (Care Recipients and Service Staff Vaccination Recording and Reporting) Principles 2021**

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I, Greg Hunt, Minister for Health and Aged Care, make the following principles.

Dated 8 July 2021

Greg Hunt  
Minister for Health and Aged Care

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## 1 Name

This instrument is the *Aged Care Legislation Amendment (Care Recipients and Service Staff Vaccination Recording and Reporting) Principles 2021*.

## 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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	13 July 2021
2. Schedule 1	The day after this instrument is registered.	13 July 2021
3. Schedule 2	21 July 2021.	21 July 2021
4. Schedule 3	Immediately after the commencement of Schedule 2 to the <i>Aged Care Legislation Amendment (Service Staff Vaccination Recording and Reporting) Principles 2021</i> .	1 January 2022

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 commencing day after registration**

### ***Records Principles 2014***

#### **1 After paragraph 10A(b)**

Insert:

; or (c) a home care service;

#### **2 Subsection 10B(1) (heading)**

Repeal the heading, substitute:

*Residential care services, certain flexible care services and home care services*

#### **3 After paragraph 10B(1)(b)**

Insert:

; or (ba) a home care service;

#### **4 After section 10B**

Insert:

### **10C Records about residential care recipients—vaccinations**

An approved provider of:

- (a) a residential care service; or
- (b) a flexible care service through which short-term restorative care is provided in a residential care setting; or
- (c) a multi-purpose service;

must keep records of the following information:

- (d) the number of care recipients to whom residential care is provided through the service who have voluntarily informed the approved provider that they have received a single dose of a COVID-19 vaccine (whether the dose was received before or after the commencement of this section);
- (e) the number of care recipients to whom residential care is provided through the service who have voluntarily informed the approved provider that they have received all required doses of a COVID-19 vaccine (whether the doses were received before or after the commencement of this section).

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## Schedule 2—Amendments commencing 21 July 2021

### *Accountability Principles 2014*

#### **1 Subsection 30C(1) (heading)**

Repeal the heading, substitute:

*Residential care services, certain flexible care services and home care services*

#### **2 After paragraph 30C(1)(b)**

Insert:

; or (ba) a home care service;

#### **3 Subsection 30C(3)**

Omit “15 June 2021”, substitute “27 July 2021”.

#### **4 Subsection 30C(4) (paragraph (a) of the definition of *reporting day*)**

Omit “15 June 2021”, substitute “27 July 2021”.

#### **5 At the end of Division 3 of Part 3**

Add:

### **30D Reports about residential care recipients who have received COVID-19 vaccinations**

(1) An approved provider of:

- (a) a residential care service; or
- (b) a flexible care service through which short-term restorative care is provided in a residential care setting; or
- (c) a multi-purpose service;

must, on each reporting day, give the Secretary a report, in a form approved by the Secretary, that sets out the following information:

- (d) the total number of care recipients to whom residential care is provided through the service;
- (e) the number of those care recipients who have voluntarily informed the approved provider that they have received a single dose of a COVID-19 vaccine;
- (f) the number of those care recipients who have voluntarily informed the approved provider that they have received all required doses of a COVID-19 vaccine.

#### *Exceptions*

- (2) However, an approved provider is not required to give the Secretary a report under subsection (1) on a reporting day after 27 July 2021 if the number of care recipients referred to in paragraphs (1)(e) and (f) is the same as in the last report given by the approved provider under subsection (1).

*Meaning of **reporting day***

(3) In this section:

***reporting day*** means:

- (a) 27 July 2021; and
- (b) each subsequent Tuesday.



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## **Schedule 3—Amendments commencing 1 January 2022**

### ***Accountability Principles 2014***

#### **1 Subsection 30C(1) (heading)**

Repeal the heading, substitute:

*Residential care services, certain flexible care services and home care services*

#### **2 After paragraph 30C(1)(b)**

Insert:

; or (ba) a home care service;

#### **3 After paragraph 30C(2)(a)**

Insert:

- (aa) the number of those service staff who have voluntarily informed the approved provider that they have received the annual seasonal influenza vaccination for the calendar year that includes the reporting day;

#### **4 Section 30D**

Repeal the section, substitute:

### **30D Reports about residential care recipients who have received certain vaccinations**

*Reports about influenza vaccinations*

(1) An approved provider of:

- (a) a residential care service; or
- (b) a flexible care service through which short-term restorative care is provided in a residential care setting; or
- (c) a multi-purpose service;

must, on 30 June each year (the ***influenza reporting day***), give the Secretary a report, in a form approved by the Secretary, that sets out the following information:

- (d) the total number of care recipients to whom residential care is provided through the service;
- (e) the number of those care recipients who have voluntarily informed the approved provider that they have received the annual seasonal influenza vaccination for the calendar year that includes the influenza reporting day.

*Reports about COVID-19 vaccinations*

(2) An approved provider of:

- (a) a residential care service; or
- (b) a flexible care service through which short-term restorative care is provided in a residential care setting; or

- (c) a multi-purpose service;
- must, on each COVID-19 reporting day, give the Secretary a report, in a form approved by the Secretary, that sets out the following information:
- (d) the total number of care recipients to whom residential care is provided through the service;
- (e) the number of those care recipients who have voluntarily informed the approved provider that they have received all required doses of a COVID-19 vaccine.

*Meaning of COVID-19 reporting day*

- (3) In this section:

**COVID-19 reporting day** means each of the following:

- (a) 31 March;
- (b) 30 June;
- (c) 30 September;
- (d) 31 December.

## ***Records Principles 2014***

### **5 Section 10A (after the heading)**

Insert:

*Residential care services, certain flexible care services and home care services*

### **6 Section 10A**

Before “An approved”, insert “(1)”.

### **7 At the end of section 10A (after the note)**

Add:

*Multi-purpose services*

- (2) An approved provider of a multi-purpose service must keep records, for each calendar year, in relation to the service staff in relation to the service:
  - (a) who access, or are reasonably likely to access, any premises where residential care is provided through the service; and
  - (b) who have voluntarily informed the approved provider that they have received the annual seasonal influenza vaccination for that year.

### **8 Before paragraph 10C(d)**

Insert:

- (ca) for each calendar year—the number of care recipients to whom residential care is provided through the service who have voluntarily informed the approved provider that they have received the annual seasonal influenza vaccination for that year;