



Private Health Insurance (Complying Product) (Age of Dependants) Amendment Rules 2021

I, Brian Kelleher, Assistant Secretary, Department of Health, make the following Rules.

Dated 18 August 2021

Brian Kelleher
Assistant Secretary
Department of Health

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1 Name

This instrument is the *Private Health Insurance (Complying Product) (Age of Dependants) Amendment Rules 2021* (the Amendment Rules).

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 on the Federal Register of Legislation.	

Note: This table relates only to the provisions of this instrument as originally made.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 section 333-20 of the *Private Health Insurance Act 2007*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Private Health Insurance (Complying Product) Rules 2015

1 Rule 4

Insert:

National Disability Insurance Scheme has the same meaning as in section 9 of the *National Disability Insurance Scheme Act 2013*.

National Disability Insurance Scheme launch has the same meaning as in section 9 of the *National Disability Insurance Scheme Act 2013*.

participant has the same meaning as in section 9 of the *National Disability Insurance Scheme Act 2013*.

person with a disability means a *participant* in the *National Disability Insurance Scheme* or the *National Disability Insurance Scheme launch*.

Note (occurring after definition of ‘upgrade’)

Omit “dependent child”, substitute “dependent person”.

Omit “dependent child non-student”, substitute “dependent non-student”.

Insert:

“dependent person”

“dependent person with a disability”

“dependent student”

“product”

2 Rule 5

Repeal the subsections (1) and (2), substitute:

- (1) In this rule a *non-classified dependent person* is a person under the age of 25, that is not a dependent student or dependent non-student by the rules of the insurer.
- (2) For the purposes of paragraph 63-5 (2A) (b) of the Act, the following insured groups are specified:
 - (a) only one person;
 - (b) only two adults;
 - (c) two or more dependent people and no adults;
 - (d) only one adult and at least one non-classified dependent person under the age of 25, dependent child or dependent student;
 - (e) only one adult and any number of non-classified dependent people under the age of 25, dependent children or dependent students and at least one dependent non-student;
 - (f) only one adult and any number of non-classified dependent people under the age of 25, dependent children or dependent students and at least one conditional dependent non-student;

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- (g) only one adult and at least one dependent person with a disability and any number of non-classified dependent people under the age of 25, dependent children, dependent students, dependent non-students or conditional dependent non-students;
 - (h) only two adults, a non-classified dependent person under the age of 25 and at least one dependent child or dependent student;
 - (i) only two adults and any number of non-classified dependent people under the age of 25, dependent children or dependent students and at least one dependent non-student;
 - (j) only two adults and any number of non-classified dependent people under the age of 25, dependent children or dependent students and at least one conditional dependent non-student;
 - (k) only two adults and at least one dependent person with a disability and any number of non-classified dependent people under the age of 25, dependent children, dependent students, dependent non-students or conditional dependent non-students.
- (3) If an insurer does not have insured groups in paragraphs 2(e), 2(f), 2(i) or 2(j) for a product, then insured groups in paragraphs 2(d) and 2(h) can include dependent non-students or conditional dependent non-students.
- (4) In this rule a ***conditional dependent non-student*** is required to have their own policy covering general treatment with the same insurer that is covering them for hospital treatment.

6 Rule 11B (c)(ii)

Omit “dependent child”, substitute “dependent person”.

7 Section 2 of Schedule 2 (table item 6 (b)(ii))

Omit “of child dependants”, substitute “of dependent persons”.

Omit “child dependants”, substitute “dependent persons”.