



Aged Care (Transitional Provisions) (Residential Care Subsidy) Amendment (Residential Aged Care Funding) Determination 2022

I, Professor Brendan Murphy AC, Secretary of the Department of Health and Aged Care, make the following determination.

Dated 27 September 2022

Brendan Murphy
Secretary of the Department of Health and Aged Care

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules	1
Schedule 1—Amendments		2
<i>Aged Care (Transitional Provisions) (Residential Care Subsidy) Determination 2014</i>		<i>2</i>

1 Name

This instrument is the *Aged Care (Transitional Provisions) (Residential Care Subsidy) Amendment (Residential Aged Care Funding) Determination 2022*.

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	1 October 2022.	1 October 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Note: This table relates only to the provisions of this instrument as originally made.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 (Transitional Provisions) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Aged Care (Transitional Provisions) (Residential Care Subsidy) Determination 2014

1 Section 3

Omit “and subsection 44-29(2)”.

2 Sections 5 and 6

Repeal the sections, substitute:

5 Amount of asset threshold for supported residents

For the purposes of paragraph 44-5B(1)(c) of the Transitional Provisions Act, the amount in relation to a day for a person is the amount worked out using the following formula:

$$\left(\text{Applicable amount} \times 2080 \right) + \text{Lower asset threshold}$$

where:

applicable amount means the applicable amount for the day for the person within the meaning of section 82 of the *Aged Care (Transitional Provisions) (Subsidy and Other Measures) Determination 2014*.

lower asset threshold means the amount worked out by rounding to the nearest \$500 (rounding up in the case of \$250 or more) the amount equal to 2.5 times the basic age pension amount (within the meaning of the Transitional Provisions Act) at the time that applies under section 43 of the *Aged Care (Transitional Provisions) Principles 2014* in relation to the person.