

Approval of Care Recipients Amendment (Younger Persons) Principles 2023

I, Anika Wells, Minister for Aged Care, make the following principles.

Dated 4 April 2023

Anika Wells

Minister for Aged Care

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1 Name

This instrument is the *Approval of Care Recipients Amendment (Younger Persons) Principles 2023*.

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 May 2023. | 1 May 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Approval of Care Recipients Principles 2014

1 After Part 3

Insert:

Part 3A—Applications for approval

11A Applications in relation to residential care for certain younger persons

(1) This section applies if a person applies under section 22‑3 of the Act to be approved as a recipient of residential care, and the person is not:

(a) a person who is at least 65 years of age; or

(b) a person from an Aboriginal or Torres Strait Islander community who is at least 50 years of age; or

(c) a person who is homeless or at risk of becoming homeless and is at least 50 years of age.

(2) The application must be accompanied by one of the following:

(a) an Exploration of Home & Living Supports for NDIS Participants Form completed for the person by the National Disability Insurance Agency;

(b) a Summary Report: Younger People at Risk of Entering Residential Aged Care completed for the person by Ability First Australia.

(3) However, the documentation mentioned in subsection (2) is not required if the application is:

(a) in relation to the provision of respite care; and

(b) made on the basis that the person urgently needed the care when it started and it was not practicable to apply for approval beforehand.