

Aged Persons Homes

No. 68 of 1969

An Act to amend the *Aged Persons Homes Act* 1954-1967,
and for other purposes.

[Assented to 12 September 1969]

[Date of commencement 10 October 1969]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and
the House of Representatives of the Commonwealth of Australia,
as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Aged Persons Homes Act* 1969.

(2.) The *Aged Persons Homes Act* 1954-1967* is in this Act referred
to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the
Aged Persons Homes Act 1954-1969.

Title.

2. The title of the Principal Act is amended by adding at the end
thereof the words “, and for other purposes”.

Heading.

3. Before section 1 of the Principal Act the following heading is
inserted:—

“ PART I.—PRELIMINARY.”.

* Act No. 81, 1954, as amended by No. 47, 1957; and No. 83, 1967.

4. After section 1 of the Principal Act the following section is inserted:—

“ 1A. This Act is divided into Parts, as follows:—

Parts.

Part I.—Preliminary (Sections 1–4).

Part II.—Capital Grants (Sections 6–10).

Part III.—Personal Care Subsidies (Sections 10A–10H).

Part IV.—Miscellaneous (Section 11).”.

5. After section 4 of the Principal Act the following heading is inserted:—

Heading.

“ PART II.—CAPITAL GRANTS.”.

6. After section 10 of the Principal Act the following Part is inserted:—

“ PART III.—PERSONAL CARE SUBSIDIES.

“ 10A.—(1.) In this Part—

Interpretation.

‘ approved organization ’ means an eligible organization that has been approved by the Director-General under the next succeeding section;

‘ approved personal care services ’ means personal care services approved by the Director-General by instrument in writing;

‘ prescribed date ’, in relation to an approved organization, means such date as the Director-General determines, by instrument in writing, in relation to the organization, being a date that is not earlier than the date of commencement of the *Aged Persons Homes Act 1969* and not later than twenty-eight days after the date on which the Director-General approves the organization under the next succeeding section, and every twenty-eighth day thereafter.

“ (2.) In this Part, a reference to a person who is residing in accommodation provided by an approved organization on a prescribed date includes a reference to a person who, on that date, is ordinarily resident in such accommodation and has been temporarily absent from the accommodation for a period of not more than twenty-eight days.

“ 10B.—(1.) Where the Director-General is satisfied that an eligible organization provides adequate accommodation and approved personal care services for aged persons, the Director-General may, by instrument in writing, approve the organization for the purposes of this Part.

Approval of
eligible
organization.]

“ (2.) An approval of an organization under the last preceding subsection relates to such premises of the organization as are specified by the Director-General in the instrument of approval.

Authorization
of payments.

“ 10C.—(1.) Subject to this Act, the Director-General may, in his discretion, on behalf of the Commonwealth, authorize the payment to an approved organization of an amount of Twenty dollars in respect of each person who, on a prescribed date—

(a) has attained the age of eighty years; and

(b) is residing in accommodation provided by the organization on premises to which the approval of the organization under the last preceding section relates.

“(2.) Payments to an approved organization under this section shall be made in such manner and at such times as the Director-General determines.

Terms and
conditions.

“ 10D.—(1.) A payment to an approved organization under this Part may be made upon such terms and conditions, including conditions as to the provision by the organization of accommodation for aged persons or personal care services, not inconsistent with this Act, as the Director-General thinks fit.

“(2.) Before authorizing a payment to an approved organization under this Part, the Director-General may require the organization to enter into an agreement with him with respect to the terms and conditions upon which the payment is to be made.

Claims for
payment.

“ 10E. A claim by an approved organization for a payment under this Part shall be made in such form and at such time as the Director-General determines.

Information
to be furnished.

“ 10F. Moneys are not payable to an approved organization under this Part unless the organization has furnished to the Director-General such information relating to the provision by the organization of accommodation and personal care services for aged persons as the Director-General requires.

Moneys to be
paid out of
National
Welfare Fund.

“ 10G. Payments under this Part to an approved organization shall be made out of the Trust Account established under the *National Welfare Fund Act* 1943–1952 and known as the National Welfare Fund.

Delegation.

“ 10H.—(1.) The Director-General may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Deputy Director-General of Social Services, a First Assistant Director-General of Social Services, an Assistant Director-General of Social Services, a Director of Social Services or any other officer of the Department of Social Services, all or any of his powers and functions under this Part except this power of delegation.

“(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

“(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Director-General.”

7. Before section 11 of the Principal Act the following heading is ^{Heading.} inserted:—

“ PART IV.—MISCELLANEOUS.”.

8. The Principal Act is further amended as set out in the Schedule to ^{Further} ^{amendments.} this Act.

9. Section 5 of the *Aged Persons Homes Act* 1957 is amended by ^{Applications} ^{of amendments.} omitting sub-section (1.).

THE SCHEDULE

Section 8.

FURTHER AMENDMENTS OF PRINCIPAL ACT

Provisions amended—	Omit—	Insert—
Section 7 (3.)	this Act	this Part
Section 8 (1.)	under this Act	under this Part
Section 8 (2.)	this Act	this Part
Section 9 (1.)	this Act	this Part
Section 9 (2.)	this Act	this Part
Section 10	under this Act	under this Part
	of this Act	of this Part