Date introduced: 9 October 1985
House: House of Representatives
Presented by: The Hon. Brian Howe, M.P., Minister for Social Security and Minister Representing the Minister for Community Services

DIGEST OF BILL

Purpose

To amend a number of Acts as a consequence of the introduction of the Home and Community Care (HACC) Program.

Background

Refer to the Digest for the Home and Community Care Bill 1985 (Digest No. 85/187).

Outline

The Bill will amend the following Acts:

Delivered Meals Subsidy Act 1970
Home Nursing Subsidy Act 1956
States Grants (Home Care) Act 1969 and
States Grants (Paramedical Services) Act 1969

The programs currently administered under these Acts will be incorporated in the HACC program. The effect of the amendments will be to cease payments under these Acts to a State that has signed a HACC agreement. For States that have not signed an agreement, funding under these Acts will continue at a level sufficient to maintain existing activities. No new services will be funded under these Acts.
Main Provisions

Amendment to the Delivered Meals Subsidy Act 1970

The Delivered Meals Subsidy Act 1970 (the Principal Act) will be amended by Part II of the Bill (clauses 3 to 12). The major changes will be:

• the power of the Secretary of the Department of Community Services to authorise the payment of a subsidy for new services will be removed by clause 6. The Secretary will still be able to authorise an increased subsidy for current services which commence to provide fresh fruit or fruit juice (clauses 6 and 7);

• the Secretary's power to authorise subsidies under the Principal Act for organisations in States which have signed a HACC agreement will be removed by new sub-section 6(2) which is to be inserted in the Principal Act by clause 7;

• the method of calculating the subsidy payable to organisations in States which have not signed a HACC agreement is contained in new sub-sections 6(3) to 6(10). The amount of subsidy will depend upon the amount of subsidy previously received, the number of meals delivered, the period for which the organisation has delivered subsidised meals and an adjustment factor (clause 7);

• the Secretary will be empowered to make advances (proposed new section 6A to be inserted by clause 7);

• a new section 10 will be substituted into the Principal Act by clause 11. At present, expenditure under the Principal Act is funded through standing appropriations (i.e. an open-ended amount may be withdrawn from the Consolidated Revenue Fund for the purposes of the Principal Act). This is to be replaced by special appropriation under which the amount available for the purposes of the Principal Act will be determined by Parliament.

Amendments to the Home Nursing Subsidy Act 1956

Amendments to the Home Nursing Subsidy Act 1956 (the Principal Act) are contained in Part III of the Bill (clauses 13 to 20) and generally follow the pattern of amendments to the Delivered Meals Subsidy Act 1970. The major changes will be:
the Minister is not to provide assistance to an organisation in a State that has entered a HACC agreement (proposed sub-section 6(2) to be inserted by clause 17);

the amount of subsidy for organisations in States that have not signed a HACC agreement is dealt with by new sub-sections 6(3) to 6(11). Assistance will be made available with reference to previous assistance, the period of operation and an adjustment factor (clause 17);

as with amendments to the Delivered Meals Subsidy Act 1970, the Minister will be empowered to make advances (new section 6A to be inserted by clause 17) and the method of appropriation will be changed (new section 7 to be substituted into the Principal Act by clause 18).

Amendments to the States Grants (Home Care) Act 1969

Amendments to the States Grants (Home Care) Act 1969 (the Principal Act) are contained in Part IV of the Bill (clauses 21-34). Again, these amendments follow the same pattern as amendments to the Delivered Meals Subsidy Act 1970. The major changes will be:

- payments will no longer be made under the Principal Act to States that have signed a HACC agreement (clause 25);

- the method of calculating payments to States that have not signed a HACC agreement are contained in new sub-sections 6(3) to 6(8) to be inserted into the Principal Act by clause 25. The calculations will take account of previous payments, time of operation and an adjustment factor;

- advances are to be authorised by new section 6A (clause 25) and the method of appropriation is to be changed also (clause 33).

Amendments to the States Grants (Paramedical Services) Act 1969

Amendments to this Act follow the pattern of amendments to the other Acts dealt with by this Bill. The removal of the power to make grants under this Act where a State has signed a HACC agreement and the method of calculating grants to the other States is contained in the new section 5 to be substituted in the Act by clause 38. Advances are dealt with by the new section 5A and the changed method of appropriation is contained in clause 41 which substitutes a new section 9 in the Act.
For further information, if required, contact the Education and Welfare Group.

28 October 1985

Bills Digest Service
LEGISLATIVE RESEARCH SERVICE