



Aged care legislation: Summary of amendments

This fact sheet provides an overview of amending legislation passed by the Australian Parliament in September 2025. The amendments will ensure the effective operation of the *Aged Care Act 2024* which starts from 1 November 2025.

Aged Care and Other Legislation Amendment Act 2025

The [*Aged Care and Other Legislation Amendment Act 2025*](#) received Royal Assent and became law on 19 September 2025.

This Act ensures the new legislative framework operates effectively and delivers on the policy intent of the *Aged Care Act 2024*.

Schedule 1: Amendments to the *Aged Care Act 2024*

Amendments relating to Chapter 4 – funding of aged care services

These amendments:

- ensure Support at Home providers can charge for funded aged care services in instances of late cancellations or “no-shows” with providers being expected to include cancellation and no-show policies in their service agreements (Explanatory Memorandum (EM), page 10-11)
- ensure Support at Home providers can deliver services via associated providers (such as a nurse assisting an individual to obtain consumable items) with the provider receiving the subsidy and reimbursing the associated provider for delivering that service (EM, page 183)
- ensure Support at Home providers can reimburse individuals for sourcing their own consumables, such as wound dressings and continence aids (EM, page 11)

- clarify the operation of notional accounts for Support at Home providers (EM pages 31-32)
- enable two sequential subsidies for home support services under the Restorative Care Pathway for providers to claim simultaneously, such as in instances where works are required that would cost more than a single subsidy payment (EM, page 33)
- ensure provider-based supplements are constitutionally supported and provide scope for future amendments and supplements to be introduced (EM, page 48)
- allow for the merger of service delivery branches for Support at Home providers (EM, page 57)
- allow for automated determination of means not disclosed status where an individual is asked to provide specific information within a certain period and fails to do so, and automated variations where an individual has notified the System Governor of an event or change in circumstances (EM, page 66)
- enable providers to offer ad-hoc services under the higher everyday living fee arrangements without the need for a formal written agreement in limited circumstances (EM, page 58)
- clarify retention amounts deducted from refundable deposit balances, including that:
 - the rate of retention (2%) is calculated daily on the daily refundable deposit balance
 - a minimum deduction frequency of once every three months applies
 - the 5-year time limit for the deduction of retention amounts excludes any period when the individual is not a permanent resident of an aged care home (EM, page 63-64).

In addition, the following amendments reinforce the ‘no worse off’ principle by enabling:

- alternative calculators for person-centred and provider-based subsidy for residential care providers, to ensure continuity between the current and new frameworks (EM, page 48)
- unspent funds to transition from the current to the new framework, so that individuals can still use them after 1 November 2025 (EM, page 44)
- an individual’s accommodation bond, accommodation charge or entry contribution arrangements to be preserved in line with the ‘no worse off’ principle (EM, page 60).

Other amendments to the *Aged Care Act 2024*

The Act amends other chapters of the *Aged Care Act 2024* to:

- ensure interim Support at Home places can be allocated during periods of high demand, with the *Aged Care Rules 2025* prescribing that interim places provide individuals with 60% of the funding of their full place (EM, page 17-18)
- remove the caps for cleaning and gardening services (EM, page 9)
- include a requirement to review the Aged Care Quality Standards every 5 years (EM, page 12)
- clarify the legislative authority for the automation of administrative processes under the *Aged Care Act 2024*
- make technical and minor policy amendments identified through the drafting of subordinate legislation or operational preparations
- clarify the delegation provisions that allow the System Governor to delegate to specified persons (EM, page 79-82).

Schedule 2: Amendments to the *Aged Care (Consequential and Transitional Provisions) Act 2024*

These amendments:

- allow the Minister for Aged Care and Seniors to make Rules to swiftly address potential unintended consequences or unforeseen circumstances that may arise with the operation of the *Aged Care Act 2024* (EM, page 111-112)
- ensure existing authorisations and offences relating to information obtained under the *Aged Care Act 1997* continue to apply under the new legislation
- make other technical and minor policy amendments identified through the drafting of subordinate legislation or operational preparations
- insert a new Schedule which provides legislative authority for automation of administrative processes in relation to transitional matters, if required.

Schedule 3: Consequential amendments to other Commonwealth legislation

These amendments ensure the continued function of other legislation as it interacts with the *Aged Care Act 2024*.

Together with the *Aged Care (Accommodation Payment Security) Levy Amendment Act 2025* (outlined below), amendments have been made to 24 Acts.

Amendments to the ***A New Tax System (Goods and Services Tax) Act 1999*** to continue to give effect to GST arrangements for aged care services.

Amendments to the ***Social Security Act 1991*** to:

- continue to give effect to means testing policies for income support payments and correctly apply aged care accommodation payments
- exempt the compensation payment under section 186 of the *Aged Care Act 2024* from income determinations.

Amendments to the ***Inspector-General of Aged Care Act 2023*** to extend the date of review from 1 March 2026 to 1 November 2027.

Amendments to the ***National Health Reform Act 2011*** to:

- enable the Chair of the Pricing Authority to disclose protected information to the Inspector-General of Aged Care (IGAC) to enable or assist the IGAC to perform its duties
- make technical consequential amendments to update references to align with the *Aged Care Act 2024*.

Amendments to the ***Health Care Identifiers Act 2010*** extend authorisations for healthcare identifiers to be used by providers delivering aged and disability care and support services, including in-home supports and community-based care services.

All other amendments are minor and technical, such as changing terminology and definitions to align with the *Aged Care Act 2024*. These relate to the following legislation:

- *Aged Care (Accommodation Payment Security) Act 2006*
- *Airports Act 1996*
- *A New Tax System (Goods and Services Tax) Act 1999*
- *Child Support (Registration and Collection) Act 1988*
- *Health and Other Services (Compensation) Act 1995*
- *Healthcare Identifiers Act 2010*
- *Health Insurance Act 1973*
- *Home and Community Care Act 1985*
- *Human Services (Centrelink) Act 1997*
- *Human Services (Medicare) Act 1973*
- *Income Tax Assessment Act 1997*
- *Inspector General of Aged Care Act 2023*
- *Military Rehabilitation and Compensation Act 2004*
- *My Health Records Act 2012*
- *National Disability Insurance Scheme Act 2013*
- *National Health Act 1953*
- *National Health Reform Act 2011*
- *Private Health Insurance Act 2007*
- *Safety, Rehabilitation and Compensation (Defence related Claims) Act 1988*
- *Sex Discrimination Act 1984*
- *Social Security Act 1991*
- *Treatment Benefits (Special Access) Act 2019*
- *Veterans' Entitlements Act 1986.*

Aged Care (Accommodation Payment Security) Levy Amendment Act 2025

The [*Aged Care \(Accommodation Payment Security\) Levy Amendment Act 2025*](#) received Royal Assent and became law on 5 September 2025.

This Act makes consequential amendments to the *Aged Care (Accommodation Payment Security) Levy Act 2006* which guarantees certain lump sum payments made by those accessing residential aged care. It does this in 2 ways:

- ensuring that providers continue to be subject to the government's guarantee scheme
- allowing the government to levy the costs of this guarantee from certain providers in certain circumstances, such as when there is a default event.

Summary of amendments by the Australian Parliament

During parliamentary passage, 3 amendments were made to the *Aged Care and Other Legislation Amendment Bill 2025*.

The agreed amendments:

- reduce the period for the Minister's rule-making power from 24 to 12 months, with rules made through this power subject to review by the Senate Community Affairs Committee, should the Committee choose to undertake a review
- provide for the release of 20,000 Home Care Packages by 31 October 2025
- provide a minimum guarantee of at least 63,000 home support places by 30 June 2026.

No amendments were made to the *Aged Care (Accommodation Payment Security) Levy Amendment Act 2025*.