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# Further amendments to the new Aged Care Act

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On 24 July 2025, the Federal Government introduced the *Aged Care and Other Legislation Amendment Bill 2025* (Cth) which amends the new *Aged Care Act 2024* (Cth) (the **new Act**), the new *Aged Care (Consequential and Transitional Provisions) Act 2024* (Cth) and the *Healthcare Identifiers Act 2010* (Cth).

As readers will be aware, the new Act is scheduled to commence on 1 November of this year.

### Amendments to the new Act

The majority of the changes introduced by the Bill are technical and consequential changes to ensure that the new Act can operate as originally intended.

For example, the Bill amends the new Act to essentially restore a number of existing requirements under the current *Aged Care 1997* (Cth) framework; but which were not originally included in the new Act. These requirements include, for example:

- it will be a condition of registration that a registered provider of a kind prescribed by the new Aged Care Rules establishes and maintains a refundable deposit register relating to refundable deposits, accommodation bonds, or entry contributions paid to, or held by the registered provider.
- A registered provider (or a responsible person of a registered provider) will commit an offence if there is a non-permitted use of an accommodation bond, and within 5 years of that use there is an insolvency event in relation to the entity where there is at least one outstanding accommodation payment balance.
- The Department of Health, Disability and Ageing will be empowered to give an approved residential care home a low star rating for quality if the registered provider in relation to whom the approved residential care home is approved, fails to comply with requirements under the new Act to report on that quality.

The above amendments to the new Act are scheduled to commence immediately after the new Act commences i.e. on 1 November 2025.

### Amendments to the *Healthcare Identifiers Act 2010* (Cth)

The Bill also makes important amendments to the *Healthcare Identifiers Act 2010* (Cth) (**HI Act**) to enable healthcare identifiers and other identifying information to be used in relation to the delivery of health and aged care and other support services.

The current healthcare identifiers framework under the HI Act is narrow. At present, healthcare identifiers are only able to be assigned to healthcare providers (e.g. General Practitioners, nurses, specialists, some allied health providers, and pharmacists) and healthcare organisations (e.g. hospitals and general practices). As a result, there are currently gaps for patients receiving other support from disability and aged care organisations that are not currently eligible for a healthcare identifier or able to handle healthcare identifiers.

Through the introduction of a new category of healthcare identifier for healthcare support service providers that provide services and support for older individuals and people with disability (such as in home care and personal care services), the new changes introduced by the Bill will authorise healthcare support service providers to collect, use and disclose the healthcare identifiers of their clients and other providers.

These amendments to the HI Act are also scheduled to commence on 1 November 2025.

Health Legal/Law Compliance continues to monitor all aspects of this important reform. For further information, please do not hesitate to contact:

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