

2016

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**RETIREMENT VILLAGES AMENDMENT BILL 2016
Amendments to be moved by the
Minister for Justice and Consumer Affairs**

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
Shane Rattenbury MLA
Minister for Justice and Consumer Affairs**

RETIREMENT VILLAGES AMENDMENT BILL 2016

Introduction

This explanatory statement relates to further amendments to the *Retirement Villages Amendment Bill 2016* (the Bill) as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.

The statement is to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill.

Purpose of the Bill

The Bill amends the *Retirement Villages Act 2012* to give effect to recommendations made in a recent review.

Government amendments have been proposed to the Bill in response to the concerns of some stakeholders.

Outline

Background

The Government amendments omit clauses 30, 31 and 61 of the Bill. These clauses dealt with capital items and capital maintenance.

These clauses have been removed in response to some stakeholder concerns.

Human Rights considerations

The Government amendments do not engage the *Human Rights Act 2004*.

Clause notes

1 – Clause 30 – Oppose the clause

Amendment 1 omits clause 30 of the Bill, which amended the definition of ‘capital item’ at section 135(1) of the Act to provide that a ‘capital item’ includes all or any part of a capital item.

2 – Clause 31 – Oppose the clause

Amendment 2 omits clause 31 of the Bill, which amended section 135(1)(a)(iii) of the Act to remove the terms ‘any part of’, as these terms have been added to the definition of ‘capital item’ in clause 30.

3 – Clause 61 – Oppose the clause

Amendment 3 omits clause 61 of the Bill, which inserted a new section 24A into the *Retirement Villages Regulation 2013* to define ‘capital maintenance’.