

Feedback Form

The Office for the Ageing, through SA Health is conducting consultation on draft Regulations to support the *Retirement Villages Act 2016*.

Thank you for your interest in providing feedback on the draft Regulations.

The information collected from this consultation will be used to inform the final Regulations which will be presented to Parliament. It is important that responses are as relevant and factual as possible.

Reference documents are available at <https://yoursay.sa.gov.au/decisions/retirement-villages-regulations/about>

Feedback may be made publicly available unless you indicate otherwise. Please clearly indicate on the feedback form if you wish your feedback to remain confidential.

If you have any questions about providing feedback please contact Office for the Ageing on 8204 2420.

Please complete the feedback form and return to:

By post : **Draft Retirement Villages Regulations consultation, PO BOX 196, Rundle Mall, ADELAIDE SA 5000**

By email: **Health.RVActReview@sa.gov.au**

Feedback closes at 5pm on Wednesday 24 May 2017, late submissions will not be considered.

Demographic Information

Contact Details (optional)

Name:

Company:
(if applicable)

Address:

Email:

Phone:

Postal address if different from above:



Demographic Information

I am a (please select most appropriate)

Current Resident Former Resident Prospective Resident Operator
Public
Other (Please specify)

My age group is

Under 34 45-54 65-79
35-44 55-64 80+

My gender is

Male Female

My working status is (please select most appropriate)

Semi-retired Working Retired Unemployed

Retirement Village name (if applicable)

The Village is operated by (if applicable)

Private organisation Church/Community based
Non-profit organisation Local Government Council
Other (please specify)

Name of organisation (if applicable)

Response to Discussion Questions

Please refer to the 'Guide to draft *Retirement Villages Regulations 2017*' document when responding.

Moving into a retirement village

Regulation 4 - Payments excluded from definition of ingoing contribution

1. Do the draft Regulations accurately reflect payments which should be excluded from the definition of ingoing contribution?

Refer to 1.1 of the 'Guide to the draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Regulation 5 - residence contracts

The draft Regulations provide additional detail about what needs to be included in a residence contract. The legislation aims to ensure prospective residents have a thorough understanding of the terms which will govern their occupancy in the retirement village.

2. Do you believe the matters to be included in the residence contract are appropriate?

Refer to 1.4 of the 'Guide to the draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

Regulation 6 - disclosure statement

The draft Regulations prescribe requirements relating to the format of a standard disclosure statement required under the *Retirement Villages Act 2016*. The guide contains an example of what a disclosure statement prepared in accordance with these requirements would look like.

3. Do you believe the requirements for a disclosure statement are adequate?

Refer to 1.3 of the 'Guide to the draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

4. Is the example disclosure statement easy to complete and understand?

Refer to 1.3 of the 'Guide to the draft Retirement Villages Regulations 2017' and the example disclosure statement.

Yes No Unsure

Comments

Response to Discussion Questions

LIVING IN A RETIREMENT VILLAGE

Regulation 12 - residents' committees

The *Retirement Villages Act 2016* Division 4 deals with residents' committees and provides for the Regulations to make provisions and requirements for a residents' committee.

5. Do the draft Regulations provide appropriate guidance and structure to enable the effective functioning of a residents' committee?

Refer to 2.3 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

6. Are there any further matters in relation to residents' committees which should be included in the regulations?

Refer to 2.3 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

Regulation 18 - Dispute resolution policy

7. Are the minimum requirements for a dispute resolution policy appropriate to ensure retirement villages have a transparent and accessible dispute resolution policy in place?

Refer to 2.5 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Schedule 1 - Operator and residents code of conduct

The draft Regulations include an operator and residents code of conduct. This aims to ensure the retirement village is a safe and secure environment for both operators and residents.

8. Do you believe the code of conduct will assist in ensuring a retirement village is a safe and secure environment for both operators and residents?

Refer to 2.6 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

Regulation 15 - Residence rules

9. Do you believe the minimum requirements for residence rules are appropriate?

Refer to 2.7 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

10. Are there any other matters which should be included in the residence rules?

Refer to 2.7 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

Schedule 1, Clause 4 and Schedule 2 – Transitional regulation, surplus and deficit policy

Within 6 months of the Retirement Villages Act 2016 commencing, a surplus and deficit policy must be adopted if a retirement village's contracts do not already contain a policy. Should a policy not be adopted the default policy in the Regulations will apply.

11. Is the transitional surplus and deficit policy appropriate?

Refer to 2.8 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

12. Are the requirements relating to changing of the surplus and deficit policy by special resolution adequate?

Refer to 2.8 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

LEAVING A RETIREMENT VILLAGE

Regulation 9 and Regulation 17 - Remarketing policy

13. Do you believe the requirements for how a resident can participate in remarketing after 9 months are appropriate?

Refer to 3.1 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

14. Do you believe the items to be included in the monthly remarketing report will provide an outgoing resident with sufficient detail about the remarketing of the residence?

Refer to 3.1 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

15. Are the requirements relating to an operator's ability to establish remarketing guidelines for residents who remain in occupation while a residence is being relicensed appropriate?

Refer to 3.1 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

Response to Discussion Questions

The *Retirement Villages Act 2016* provides that a resident may elect not to receive repayment of the exit entitlement at 18 months and wait for conditions in the contract to be fulfilled. For example, the resident may decide to keep the residence on the market and try to achieve a higher relicensing price. The draft Regulations prescribe that the resident must notify the operator of this decision a minimum of 15 months after providing notice to vacate a village or 15 months after vacating.

16. Do you believe this is an appropriate period of time for a resident to provide notice to an operator that they do not wish to receive payment of their exit entitlement at 18 months?

Refer to 3.4 of the 'Guide to draft Retirement Villages Regulations 2017'.

Yes No Unsure

Comments

OTHER COMMENTS

17. Please provide any further comments you wish to make regarding the draft *Retirement Villages Regulations 2017*.

For more information:

Office for the Ageing
Telephone: (08) 8204 2420
Email: Health.RVActReview@sa.gov.au
www.sahealth.sa.gov.au

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