

Australian Capital Territory

Retirement Villages Amendment Regulation 2025 (No 1)

Subordinate Law SL2025-1

The Australian Capital Territory Executive makes the following regulation under the [Retirement Villages Act 2012](http://www.legislation.act.gov.au/a/2012-38).

Dated 19 February 2025.

Andrew Barr

Chief Minister

Tara Cheyne

Minister



Australian Capital Territory

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made under the

Retirement Villages Act 2012

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1 Name of regulation

This regulation is the *Retirement Villages Amendment Regulation 2025 (No 1)*.

2 Commencement

This regulation commences 3 months after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Retirement Villages Regulation 2013](http://www.legislation.act.gov.au/sl/2013-5).

4 New sections 18A to 18C

in division 5.2, insert

18A Prevention of elder abuse strategy—Act, s 91 (2) (h)

 (1) The operator of a retirement village must prepare, and take all reasonable steps to give effect to, a written strategy for identifying and preventing elder abuse in the village (a prevention of elder abuse strategy).

 (2) The strategy must include the following:

 (a) examples of common forms of elder abuse, including specific examples in relation to retirement villages;

 (b) information about how to—

 (i) identify elder abuse, including signs of elder abuse; and

 (ii) prevent elder abuse;

 (c) information about how to respond to elder abuse or suspected elder abuse, including—

 (i) how to report elder abuse or suspected elder abuse to the operator and the period within which the operator can be expected to respond to a report; and

 (ii) how to make an older people service complaint to the human rights commission; and

 (iii) how to report a matter to another suitable entity;

 (d) an explanation of the roles and responsibilities of the operator and the operator’s staff in relation to elder abuse in the village;

 (e) information about how to access the services and resources of local service or support agencies;

Examples—local service or support agencies

1 Human Rights Commission

2 ACT Civil and Administrative Tribunal

 (f) the date the strategy is finalised.

 (3) In this section:

elder abuse, in a retirement village, means an act or omission by any person that causes or allows the exploitation, mistreatment, harm or neglect of a resident of the village.

older people service complaint—see the [Human Rights Commission Act 2005](http://www.legislation.act.gov.au/a/2005-40), dictionary.

Note Under the [Human Rights Commission Act 2005](http://www.legislation.act.gov.au/a/2005-40), a person may complain to the commission about a service for older people (see that [Act](https://www.legislation.act.gov.au/a/2005-40/), s 41), including a service provided by the operator of a retirement village (see that [Act](https://www.legislation.act.gov.au/a/2005-40/), s 53G).

18B Prevention of elder abuse strategy—publication and availability

 (1) As soon as practicable after preparing a prevention of elder abuse strategy for a retirement village, the operator of the village must publish the strategy in a way that is likely to come to the attention of the following people:

 (a) a resident of the village;

 (b) an individual who accesses the village’s website;

 (c) an individual who tells the operator that the individual or a family member of the individual is interested in becoming a resident of the village.

 (2) For subsection (1), the operator must—

 (a) display a copy of the strategy on a notice board in a communal area within the village; and

 (b) publish the strategy in any other way the operator considers appropriate.

Examples—par (b)

1 give each resident a copy of the strategy

2 publish the strategy on the village’s website

3 include the strategy in a brochure about the village

 (3) The operator must also take reasonable steps to ensure that all the operator’s staff are familiar with the strategy.

 (4) If a person asks the operator for its prevention of elder abuse strategy, the operator must make the strategy available to the person within 2 business days after the day the person asks for it.

18C Prevention of elder abuse strategy—review

 (1) The operator of a retirement village must review village’s prevention of elder abuse strategy at least once every 2 years from the day the strategy is published under section 18B (2).

 (2) If the operator makes any changes to the strategy as a result of a review under subsection (1)—

 (a) the revised strategy is taken to be a new prevention of elder abuse strategy; and

 (b) section 18B applies to the operator in relation to the new strategy.

5 Section 20 (1)

omit

the residents committee of a retirement village

substitute

the residents committee for a retirement village

6 New section 20 (1) (c)

insert

 (c) the person is the only person standing for election to the office.

7 Section 20 (3), definition of hold the same office

substitute

hold the same office, on a residents committee for a retirement village, includes to hold an office performing the same (or substantially the same) functions on the committee.

Examples—office

president, treasurer, secretary

8 Schedule 4, section 4.1, definition of returning officer

omit

section 4.6

substitute

section 4.3

9 Schedule 4, section 4.3 (1)

omit

The residents of a retirement village

substitute

The residents committee for a retirement village

10 Schedule 4, section 4.4 (1)

substitute

 (1) Before the meeting for a written ballot, the ballot papers must be prepared by—

 (a) the residents committee for the retirement village; or

 (b) if the residents committee has not convened the meeting or there is no residents committee for the village—the operator of the village.

 (1A) Enough ballot papers must be prepared so that a ballot paper can be given to each qualified voter.

11 Schedule 4, section 4.4 (3)

omit

initialled by the returning officer

substitute

initialled by the person who prepared the ballot paper

12 Schedule 4, section 4.8 (2) and (3), except note

substitute

 (2) Each resident of the village must be given at least 21 days written notice of the meeting by—

 (a) the residents committee for the village; or

 (b) if the residents committee has not convened the meeting or there is no residents committee for the village—the operator of the village.

 (3) However, for a vote under the Act, section 112 (5) in relation to a special resolution at a meeting, each resident must be given at least 14 days written notice of the meeting.

13 Schedule 4, section 4.8 (4) (d) and (e)

substitute

 (d) state that, if a resident wishes to cast their vote before the meeting, the resident may—

 (i) ask the entity that convened the meeting for a ballot paper; and

 (ii) cast a postal vote in accordance with section 4.9.

14 Schedule 4, section 4.9 (1) (b)

substitute

 (b) if the residents committee has not convened the meeting or there is no residents committee for the village—the operator of the village.

15 Dictionary, notes 1 and 2

substitute

Note 1 The [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) contains definitions relevant to this regulation. For example:

 Act

 [Corporations Act](http://www.comlaw.gov.au/Series/C2004A00818)

 director-general (see s 163)

 domestic partner (see s 169 (1))

 fail

 human rights commission.

16 Dictionary, note 3

renumber as note 2

17 Dictionary, new definition of prevention of elder abuse strategy

insert

prevention of elder abuse strategy—see section 18A (1).

Endnotes

1 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 27 February 2025.

2 Republications of amended laws

 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au/).

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