



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF DECISION

#### Retirement Villages (Contractual Arrangements) Regulations 2017

I, Marlene Kairouz MP, Minister for Consumer Affairs, Gaming and Liquor Regulation give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend to the Governor in Council that the proposed Retirement Villages (Contractual Arrangements) Regulations 2017 be made.

A Regulatory Impact Statement for the proposed Regulations was released for public comment on 29 March 2017 until 28 April 2017. Three submissions were received in response to the Regulatory Impact Statement.

I have reviewed the submissions and intend to make the proposed Regulations with a number of amendments, mostly of a technical and clarifying nature.

The principal changes are to:

- clarify that a refund of the ingoing contribution is not to be occasioned by an immaterial or trivial breach (Schedule 1 of regulation 6(1)(c))
- clarify that the parties can agree on the market value of the residence right without recourse to an independent valuation, which amends the process under regulation 7, and
- insert a provision in regulation 7 to clarify that payments made by the village operator under the aged care rule are recoverable from the resident's refundable ingoing contribution.

After the proposed Regulations are made, they can be downloaded from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au), or purchased from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne 3205, or telephone 131 242.

HON. MARLENE KAIROUZ MP  
Minister for Consumer Affairs, Gaming and Liquor Regulation

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**SPECIAL**

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