

NORFOLK



ISLAND

# **SOCIAL SERVICES AMENDMENT NO. 2 ACT 1990**

**Act No. 20 of 1990**

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An Act to amend the *Social Services Act 1980*.

**[Assented to 28 December 1990]**

**BE IT ENACTED** by the Legislative Assembly of Norfolk Island as follows —

## **Short title**

**1.** This Act may be cited as the *Social Services Amendment No. 2 Act 1990*.

## **Commencement**

**2.** This Act comes into operation on a date fixed by the Administrator by notice published in the Gazette.

## **Principal Act**

**3.** The *Social Services Act 1980* is in this Act referred to as the Principal Act.

## **Norfolk Island Social Services Benefits**

- 4.** Section 15 of the Principal Act is amended —
- (a) by omitting from paragraph (2)(f) “and”; and
  - (b) by adding at the end of subsection (2) —  
“; and (h) long-term care benefit.”.

## **Double benefits not payable**

**5.** Section 27 of the Principal Act is amended by omitting from subsection (1) “section 22 or 28” and substituting “section 22, 28 or 28A”.

## **New section**

- 6.** The Principal Act is amended by inserting after section 28 —

### **Long-term care benefits**

“ **28A. (1)** A person qualifies for a long-term care benefit if —

- (a) the person —
  - (i) is receiving, or is qualified to receive, another benefit under this Act; or
  - (ii) is receiving a benefit under the *Social Security Act 1947* of the Commonwealth or under a prescribed law; and

(b) the person is, and has been for 90 consecutive days, an inpatient at the Hospital.

(2) Subject to subsection (3), a person who is a long-term care beneficiary is not required to pay fees or charges that would, apart from this subsection, be payable by the person under the *Healthcare Act 1989* for the provision to the person of accommodation at the Hospital.

(3) The person remains liable to pay the fees or charges to the extent that the fees or charges do not exceed 80% of the person's income in respect of the period to which the fees or charges relate.

(4) In this section, 'Hospital' means the same as in the *Healthcare Act 1989*."

### **Variation of rates of benefits**

7. Section 29 of the Principal Act is amended by omitting from the definition of "relevant rate" in subsection (1) "other than a special benefit" and substituting "other than a special benefit or long-term care benefit".

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Notified Gazette No. 58, 29 December 1990.

Commenced 31 December 1990 (Gazette No. 58, 29 December 1990).

This enactment amends Act No. 9 of 1981 as previously amended by Act No. 16 of 1981, Act No. 3 of 1984, Act No. 21 of 1984, Act No. 9 of 1985 and Act No. 12 of 1990.

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