Evaluated MLA notification form

You must determine your evaluated minimum liquidity amount each quarter.

Use this approved form to notify the Commission that you are:

- electing to maintain,
- revoking an election to maintain, or
- re-determining

an evaluated minimum liquidity amount (evaluated MLA) under the *Aged Care Financial* and *Prudential Standards* 2025.

Your elected evaluated MLA must be enough to:

- meet your financial obligations as they fall due;
 and
- refund, in accordance with the Act, the rules and any formal agreement, any deposited amount balances that can be expected to fall due in the following 12 months; and
- · deliver safe and quality care; and
- withstand a sudden or unexpected financial shock; and
- not pose a greater risk to
- the safety, health, well-being and quality of life of individuals accessing funded aged care services; or
- continuity of care for individuals accessing funded aged care services.

Completing this form

You need to:

- fill in all sections
- ensure a member of your **governing body** (as defined in section 7 of the *Aged Care Act 2024*) signs the declaration at the end of the form, this must be a person with authority to make decisions on your behalf.
- Attach the statement by the governing body that it is satisfied that the implementation of the strategy meets the objects of a liquidity management strategy as set out in section 16(2) of the Aged Care Financial and Prudential Standards 2025 (see section 16(3)(s) of the Aged Care Financial and Prudential Standards 2025).

After you submit the form

We will acknowledge that we've received it within 5 business days. If your form is incomplete, we will contact you within 3 business days to advise that it is incomplete and must be resubmitted. We do not approve evaluated MLAs, this is the responsibility of your governing body.

We may contact you to discuss your evaluated MLA or to ask for more information relating to it. **Appendix A** provides guidance on the types of documents your governing body could rely upon in determining your evaluated MLA and should be retained as evidence you meet the objectives of the *Aged Care Financial and Prudential Standards 2025*. The documents listed in **Appendix A** are not required to be submitted with this form but they (as supporting documentation) should be readily available if requested.

Privacy and your personal information

Your personal information is protected by law, including by the Privacy Act 1988 (including the Australian Privacy Principles) and the *Aged Care Act 2024*.

We collect, use and disclose personal information to carry out our functions under the *Aged Care Act 2024*.

We use the information in this form to update your provider records, or to inform other regulatory activities.

We may share the information on this form with the Department of Health, Disability and Ageing, and with other state and Australian Government agencies, where allowed or required by law.

You can find more information about how we collect, use, disclose and manage your personal information in our <u>privacy policy</u>.

Questions about this form

Please send your questions and contact details to liquidity@agedcarequality.gov.au

Section A:

Registered provider organisation details

Make sure that your registered provider ID is correct.

If you have more than one provider in your group, you can list multiple providers below.

| Registered provider name (legally registered name, not business or trading name)* | |
|---|--|
| Registered provider ID* (PRV:XXX) (The identification number given to you when you were registered as a registered provider) | |

Section B:

Details of person completing this form

If the person who is completing this form is different from the member of your governing body signing this form at Section C, please provide their details in the following table. Details of who is considered a member of your governing body is provided at Section C below.

| Full name* | |
|-------------------|--|
| | |
| | |
| Role or position* | |
| | |
| | |
| Phone* | |
| | |
| | |
| Email* | |
| | |
| | |

Section C:

Evaluated MLA notification

You must select one of the following options to advise which notification you are submitting.

1. Select the relevant notification

| Election to maintain an evaluated MLA (As in section 15 (1)(a) of the Aged Care Financial and Prudential Standards 2025) |
|--|
| Re-determine an evaluated MLA (As in section 15(1)(c) of the <i>Aged Care Financial and Prudential Standards 2025</i>) |
| Revoke an election to maintain an evaluated MLA (As in section 15(1)(b) of the Aged Care Financial and Prudential Standards 2025) |

2. Evaluated MLA details

| Date the notification takes effect* | |
|---|--|
| (DD/MM/YYYY) | |
| | |
| Elected evaluated MLA(\$)* | |
| (You must elect an evaluated MLA per provider, not an aggregate | |
| amount at group level). | |
| Previous evaluated MLA(\$) | |
| (If applicable) | |
| | |
| | |
| Value of external loan facility | |
| | |
| | |
| Value of intra-group loan facility (\$) or other group | |
| financial support | |
| | |
| | |

2. Evaluated MLA details - continued

| The formula or basis for your evaluated MLA amount* | |
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We will not accept your notification unless a member of your governing body has signed it.

Only a member of the governing body can sign this notification form. Section 7 of the Aged Care Act 2024 defines the governing body as:

- (a) if the registered provider is a body corporate incorporated, or taken to be incorporated, under the Corporations Act 2001, that has a board of directors—the board of directors; or
- (b) otherwise—the person or the group of persons responsible for the executive decisions of the registered provider.

The member of your governing body signing this form must be a responsible person with a responsible person record in the Government Provider Management Systems (GPMS). If the person you want to sign this form is not listed as a responsible person, you need to fill in and submit a Change in circumstance form.

Declaration

By signing this declaration, you confirm all the following apply:

- I declare that I am lawfully authorised to act for or represent the registered provider.
- I declare that I have read and understood the above privacy notice and the Commission's Privacy Policy.
- I understand that information I give to the Commission may be disclosed where permitted or required by law, to other Commonwealth agencies.
- I declare that all information provided in this form and any attachments is true and correct. I am aware that knowingly giving false or misleading information is a serious offence under the *Criminal Code Act 1995*.
- There are also civil penalties under sections 529 and 530 of the *Aged Care Act 2024* for the provision of false or misleading information or documents and I may be liable to a civil penalty for giving false or misleading information.
- I authorise the person identified in Section A of this form to receive information about the affairs of the registered provider, if that person is not listed as a member of a the governing body of the registered provider.

Member of governing body

| Full name and position* | |
|-------------------------|--|
| | |
| | |
| Signature* | |
| | |
| | |
| Date* | |
| Date | |
| | |

Appendix A:

Guidance on Documentary evidence supporting evaluated MLA determinations

The Commission does not approve evaluated MLA amounts. The only document you are required to submit with this form is the statement from your governing body that it is satisfied that the liquidity management strategy meets the objects of section 16(2) (s) of the Aged Care Financial and Prudential Standards 2025.

As part of our regulatory responsibilities, we may contact you to request documentary evidence that supports your evaluated MLA. This is to assess compliance with the *Aged Care Financial and Prudential Standards 2025* requirements for:

- determining the evaluated MLA amount (see sections 11(1)(b) and (3) of the Aged Care Financial and Prudential Standards 2025); and
- implementing and maintaining a liquidity management strategy (section 16).

Evidence relating to the evaluated MLA

If requested by the Commission, you should be able to provide evidence to support your underlying assumptions and governing body approval for your election to maintain an evaluated MLA.

Registered providers operate under a range of corporate and financial structures. The below is intended as guidance, and not all documents are relevant to all registered providers.

1. External financing

Providers may use external financing to manage their liquidity requirements (for example, shortterm bank facilities such as an overdraft or line of credit).

If you are using external financing as a source of liquidity, documents that show evidence of bank facilities arrangements (for example, a facility agreement) can be retained to support your evaluated MLA. This evidence can include:

- loan purpose, permitted uses, terms, maturity and security
- facility limits, drawn and undrawn balances
- debt covenant responsibilities and compliance status.

2. Related-party relationships

Providers can use related-party transactions to manage their liquidity requirements. This could be a group treasury arrangement, with excess cash pooled centrally and distributed as required, or a shared services arrangement.

If you are using related-party transactions as a source of liquidity, documents that could be retained to support your evaluated MLA include:

- an organisational structure diagram documenting:
 - the provider's position within the group
 - ownership
 - the nature of relationships with other entities in the group
- evidence of documented liquidity support facilities, including terms, limits and maturity
- cost-sharing arrangements or management services agreements
- any formal support arrangements (for example, guarantees) from the parent or other entities within the group
- evidence of group-level bank facilities arrangements (for example, a parent company loan facility agreement), including:
 - loan purpose, permitted uses, terms, maturity and security arrangements
 - details of guarantors (entities that agree to repay a debt if the borrower can't pay it back) and obligors (any entities that have legal responsibilities to other entities) within the group
 - facility limits, drawn and undrawn balances
 - debt covenant responsibilities and compliance status.

- evidence of cross-guarantees or deeds of guarantee that describe the provider's responsibility to contribute to group-level finance arrangements
- group financial statements presented on a consolidated basis, or financials of key entities in the group that hold extra liquidity.

3. Capital works

When providers do capital works (such as building, or doing structural improvements) it can reduce their liquidity. If you are doing capital works, documents you can retain to support your evaluated MLA include:

- details of the capital works and how you plan to fund them
- the contract(s)
- your risk management plan for cost overruns
- the scale, duration and overall cost of the works.

4. Change in financial circumstances

Providers can experience changes in their financial circumstances that require them to re-determine their evaluated MLA. For example:

- a merger with or acquisition of another provider
- a change in the number or type of services they're delivering (such as reducing the number of beds for residential care or moving into home care).

You can retain documents that show details of the change in your strategy (for example, board papers outlining the approval process) to support your evaluated MLA.

Other supporting documents

Other supporting documents may include:

- details of any external assurance received relating to the evaluated MLA
- cash flow forecasts and budgets for at least the next 12 months, including:
 - a detailed breakdown of forecast monthly cash inflows and outflows
- the cash balance at the end of each period (monthly), including (but not limited to) the balances of any restricted cash amounts relating to refundable deposits
- current utilisation of bank facilities, such as overdrafts or lines of credit, and evidence that this is within the available limit of the facilities (if applicable)
- use of any group liquidity facilities or other forms of support from related parties, and evidence that this is within documented limits (if applicable)
- cash outlays specifically related to the capital works over the forecast period (if applicable)
- refundable deposit profile, including:
 - expected inflows and outflows over the next 12 months
 - age profile of residents
 - proportion of refundable depositpaying residents
 - proportion of daily accommodationpaying residents

- the most recent liquidity management strategy approved by the governing body
- internal risk management documents (for example, board papers), showing governing body approval of the evaluated MLA, and policies (if applicable) for:
- external financing
- related party transactions
- capital works
- results of any modelling, stress testing or scenario analysis used to calculate the evaluated MLA (this can include modelling by third parties)
- evidence of regular monitoring and analysis of the liquidity position against the forecast position, supporting the evaluated MLA.

Providers operate under a range of corporate and financial structures. This information is guidance; not all documents are relevant to all providers.

November 2025







agedcarequality.gov.au



Write

Aged Care Quality and Safety Commission GPO Box 9819, in your capital city