



# Aged Care Quality and Safety Commission (Commissioner) Delegation (No. 6) 2022

I, Janet Anderson, Commissioner of the Aged Care Quality and Safety Commission, under subsections 76(1) and 76(1A) of the *Aged Care Quality and Safety Commission Act 2018*:

1. REVOKE all previous instruments of delegation made under those subsections;
2. DELEGATE to each person from time to time holding, or performing the duties of, a position at a classification level or described by a position title or other description in the Aged Care Quality and Safety Commission mentioned in Column 3 of an item in Schedule 1, my powers or functions under the provisions mentioned in Column 2 of the item;<sup>1</sup> and
3. DELEGATE to each person from time to time holding, or performing the duties of, a position in the Department of Health mentioned in Column 2 of an item in Schedule 2, my powers or functions under the provisions mentioned in Column 1 of the item.

Dated this 21<sup>st</sup> day of March 2022.

*J. M. Anderson*

Janet Anderson  
Commissioner

<sup>1</sup> NOTE: the description of the power or function in Column 1 of an item in the Schedule is for information purposes only. The correct reference for identifying a power or function in an item is the provision, or provisions, mentioned in Column 2 of the item.

# SCHEDULE 1

	Column 1	Column 2	Column 3
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
<b><i>Aged Care Act 1997</i></b>			
1	Approve form of notification for change of circumstances materially affecting approved provider's suitability.	Subsection 9-1(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
2	Request a provider to give information relevant to the provider's suitability to be a provider of aged care	Subsection 9-2(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
3	Request a current or former provider to give information relating to refundable deposits, accommodation bonds, entry contributions etc.	Subsection 9-3A(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
4	Request a provider to give information about ability to refund balances	Subsections 9-3B(2), 9-3B(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b><i>Aged Care Quality and Safety Commission Act 2018</i></b>			
<b>Information sharing</b>			
5	Giving information to the Secretary in certain circumstances (also see Division 2 of Part 8 of the Rules)	Subsections 56(1), 56(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
<b>Making information publicly available</b>			
6	Making information about an aged care service publicly available	Section 59	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
7	Making information about a Commonwealth funded aged care service publicly available	Section 59A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b>Protected information</b>		
8	Disclosure of protected information	Section 61	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Application for approval as provider of aged care</b>		
9	Approve form of application for approval as provider of aged care, specify documents and information to accompany application and specify fee for application	Paragraphs 63B(2)(b), 63B(2)(c), 63B(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
10	Request a person who has applied for approval to give further information within a specified period and extend the period within which person is to provide information	Section 63C	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
11	Decision as to whether to approve a person as a provider of aged care	Section 63D	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
12	Notify a person who has applied for approval of decision relating to approval	Section 63E	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Cessation and revocation of approval</b>		
13	Decide whether to revoke approval when requested by provider, notify provider of decision and give Secretary a copy of notice	Section 63H	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
14	Approve form of request for revocation by approved provider, specify information or documents to accompany request and specify fee	Paragraphs 63H(2)(b), 63H(2)(c), 63H(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
15	Decide to revoke approval if satisfied of certain	Section 63J	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

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	matters (no application by provider required)		<ul style="list-style-type: none"> <li>• EL 2</li> </ul>
16	Notify provider that revocation is being considered	Section 63K	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
17	Notify provider that their approval has been revoked or limited and notify of the revocation day	Section 63L	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Imposition of sanctions by the Commissioner</b>			
18	Decide to impose sanctions and notify the provider of the decision	Section 63N	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
19	Specify a day revocation must take effect (in certain circumstances)	Section 63P	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
20	Specify a day when revocation or suspension of allocation of places is to take effect	Section 63Q	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notices that must, or may be given, before sanctions are imposed</b>			
21	Notify provider of intention to impose sanctions on the provider	Section 63S	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
22	Require a provider to give Commissioner an undertaking about remedying non-compliance	Section 63T	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
23	Approve form of undertaking	Paragraph 63T(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
24	Require a provider to agree to certain actions if revocation of approval is being considered	Section 63U	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
25	Approve form of application to lift sanction, specify documents or	Paragraphs 63V(2)(b),	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

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	information to accompany application and specify fee	63V(2)(c), 63V(2)(d)	
26	Request provider to give further information about an application under subsection 63V(1) and extend period for giving information	Section 63W	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
27	Decide whether to lift sanction imposed on provider	Section 63X	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
28	Notify provider of a decision on whether to lift sanction imposed on provider	Section 63Y	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Powers of authorised officers in relation to premises</b>			
29	Consider it necessary for an authorised officer to enforce powers under Division 2, Part 8 for the purpose of making a decision on an application for approval	Paragraph 64A(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
30	Consider it necessary for an authorised officer to exercise powers under Division 2, Part 8 for the purpose of resolving a complaint or dealing with information about provider responsibilities	Paragraph 65(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Powers of regulatory officials in relation to premises</b>			
31	Consider it necessary for a regulatory official to enter any premises and exercise search powers for regulatory purposes	Subsection 68(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

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	<b>Identity cards</b>		
32	Identity card to be issued to a person who is a quality assessor	Subsections 74(1), 74(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
	<b>Compliance notices</b>		
33	Issue a written compliance notice (or vary or revoke the compliance notice)	Section 74EE	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Notice to attend to answer questions etc.</b>		
34	Require a person to attend before an authorised officer to answer questions or give information or documents	Section 74F	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
35	Issue a notice requiring information or documents (and extend the time of the notice)	Section 74GA	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Reconsideration and review of decisions</b>		
36	Reconsider reviewable decision on request and give notice of decision	Section 74L	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1 (item 1 in the table in section 74J only)</li> </ul>
37	Reconsider reviewable decision on own initiative	Section 74M	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>•</li> </ul>
	<b>Miscellaneous</b>		
38	Appoint an authorised officer	Subsections 75A(1), 75A(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>•</li> </ul>
39	Give a direction to authorised officers	Subsection 75A(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>•</li> </ul>

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	<b><i>Aged Care Quality and Safety Commission Rules 2018</i></b>		
	<b>Dealing with complaints and provider responsibility information</b>		
40	Decide to take no further action in relation to the issue under section 14	Paragraph 13(1)(a)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
41	Take appropriate action to resolve the issue or decide to undertake a resolution process in relation to the issue under section 15	Paragraphs 13(1)(b), 13(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
42	Decide to take no further action in relation to an issue raised in a complaint and give relevant written notices of decision	Section 14	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
43	Decide to undertake resolution process and perform actions arising from that decision	Section 15	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
44	Give notice to provider of decision to undertake a resolution process	Section 16	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
45	Decide to end a resolution process and give notice	Section 17	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
46	Give information about resolution process to person or body with sufficient interest	Section 18	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Directions</b>		
47	Give directions to relevant providers	Section 19	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
48	Give notice of intention to give directions to relevant providers	Section 20	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
49	Give a notice of failure to comply with direction	Subsection 21(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Accreditation of residential aged care services</b>		
50	Approve form of application and require other information or documents to be accompanied with an application	Paragraphs 28(1)(b), 28(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
51	Specify a fee for an application for accreditation or re-accreditation	Paragraph 28(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
52	Decide whether to accredit a commencing service or re-accredit a recommencing service and decide whether there are areas of improvement (if the service is accredited or re-accredited)	Section 29	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
53	Give notice of a decision to accredit a commencing service or re-accredit a recommencing service	Subsection 30(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
54	Give an approved provider of a commencing service that obtains accreditation a certificate of accreditation for the service	Subsection 30(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
55	Give notice of a decision not to accredit a commencing service or re-accredit a recommencing service and a copy of any information given to the	Section 31	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>



	Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service		
56	Appoint one or more quality assessors to form an assessment team to conduct a site audit of a service that has applied for re-accreditation and give the assessment team any information or documents that accompanied the application for re-accreditation	Section 32	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
57	Give to an approved provider who has applied for re-accreditation the form of words and poster to be used to tell consumers about site audit	Section 33	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
58	Give directions to an assessment team conducting a site audit	Paragraph 36(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>•</li> </ul>
59	Give relevant information to an assessment team [this is in addition to any information given under paragraph 32(1)(b)]	Paragraph 36(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
60	Give a copy of the site audit report to the approved provider of the residential service	Subsection 40(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
61	Prepare a performance report about a residential service and give a copy to the provider of the service	Section 40A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
62	Decide whether to re-accredit a residential service	Subsection 41(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

63	Decide the further period for which the service is accredited	Subsection 41(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
64	Give notice of a decision to re-accredit a commencing service and certificate of accreditation	Section 42	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
65	Give notice of decision not to re-accredit a service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 43	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
66	Decide to revoke the accreditation of an accredited service that the Commissioner decided not to re-accredit and decide the day on which the revocation is to take effect	Subsections 44(1), 44(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
67	Provide written notice to an approved provider of a residential service that was not re-accredited and whose accreditation has been revoked	Section 45	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
68	Give to an approved provider a reminder notice about the end of accreditation and form of words/ a poster to inform care recipients and representatives of the site audit to be conducted should the provider wish the service to be re-accredited	Section 46	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
69	Publish decisions relating to accreditation	Section 48	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Quality reviews of services</b>		
70	Determine that it is appropriate to conduct a quality review of two or more services of the same provider at the same time	Subsection 52(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
71	Appoint quality assessors to form an assessment team and give them any relevant information or documents	Section 53A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
72	Give the home service provider of the home service a written notice of the quality audit and the day or days on which it will be conducted at the premises	Section 53B	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
73	Give directions to the assessment team for a quality audit	Subsection 54(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>•</li> </ul>
74	Give a copy of the quality audit report to the home service provider	Subsection 56(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
75	Prepare a performance report about the quality audit of a home service and give that report to the provider of the service and publish the report on the Commission's website	Section 57	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
76	Conduct quality review of Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines	Section 58	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
	<b>Plans for continuous improvement</b>		
77	Request that approved providers provide a copy of the plan for continuous improvement for the service	Section 63	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

			<ul style="list-style-type: none"> <li>Quality Assessor (member of staff of the Commission)</li> </ul>
78	Direct the provider to revise plan for continuous improvement and give the Commissioner a copy of the revised plan.	Section 63A	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> </ul>
<b>Assessment contacts by regulatory officials</b>			
79	Make an assessment contact with the approved provider of an accredited service or a previously accredited service, or the home service provider of a home service in accordance with notified arrangements or at any other time (with or without notice)	Subsection 64(1)	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> <li>APS 6</li> </ul>
80	Give written notice of the arrangements for assessment contacts with the provider	Section 65	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> </ul>
81	<p>Before a visit to the premises of the service is made, give the:</p> <ul style="list-style-type: none"> <li>Approved provider of an accredited service or a previously accredited service a poster to inform the consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> <li>Home service provider of a home service written notice of the form of words to be used to tell the aged care consumers of the service, and the</li> </ul>	Subsections 66(2), 66(4)	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> <li>APS 6</li> </ul>

	nominated representatives of those consumers, about the assessment contact		
82	Request information or documents relating to the purpose of assessment contact	Subsection 67(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
83	Prepare an assessment contact report.	Subsection 68(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
84	Give a copy of the assessment contact report prepared after an assessment contact to the provider	Subsection 68(5)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
85	Prepare a performance report, give a copy of the report to the provider and publish the report on the Commission's website	Section 68A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Review audits of accredited services</b>			
86	Arrange for a review audit of an accredited service to be conducted	Section 70	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
87	Appoint two or more quality assessors to form an assessment team to conduct a review audit	Section 71	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
88	Give to an approved provider of an accredited service a poster to inform consumers and nominated representatives about the audit	Section 72	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
89	Give directions to the assessment team for a review audit of an accredited service	Paragraph 73(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

90	Give a copy of a review audit report to an approved provider after reviewing it	Subsection 76(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
91	Prepare a performance report after receiving a review audit report and give a copy of the report to the provider of the service	Section 76A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
92	<p>After giving a performance report, decide whether to revoke the accreditation of the service.</p> <p>If revoking, decide the date the revocation is to take effect.</p> <p>If not revoking, decide whether to vary the service's period of accreditation.</p>	Subsections 77(1), 77(3), 77(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
93	If revoking, give to the approved provider of the service a written notice	Section 78	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
94	Give notice of a decision not to revoke accreditation of accredited service to the approved provider of the service	Subsection 79(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
95	Provide the approved provider of the service a new certificate of accreditation for the service that states the varied period of accreditation	Subsection 79(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS4-6</li> </ul>
96	Publish, at the appropriate time, decisions relating to accreditation and performance reports	Section 80	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Monitoring of Aboriginal and Torres Strait Islander services</b>			
97	Monitor an Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines.	Section 86	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

<b>Registration of quality assessors</b>			
98	Approve the form of the application for registration as a quality assessor, specify any information or documents to be included and specify a fee	Paragraphs 89(2)(b), 89(2)(d), 89(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
99	Register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(1), 90(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
100	Refuse to register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(3), 90(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
101	Approve the form of the application to be re-registered as a quality assessor, specify any other information or documents to be included in the application and specify fee	Paragraphs 91(2)(b), 91(2)(e), 91(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
102	Determine whether to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(1), 92(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
103	Refuse to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(3), 92(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
104	Decide to cancel a quality assessor's registration, and give written notice of the cancellation and reasons for the cancellation	Section 94	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reportable incidents</b>			
105	Powers relating to notices about reportable incidents	Section 95C	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

			<ul style="list-style-type: none"> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
106	Decide certain reportable incidents not required to be notified	Section 95D	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
107	Require final report on reportable incident	Section 95E	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
108	Approve the form for the purposes of Division 4 of Part 4B of the <i>Quality of Care Principles 2014</i>	Section 95F	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
109	Actions in dealing with reportable incidents	Paragraphs 95G(1)(a), 95G(1)(b), 95G(1)(c), 95G(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
110	Actions in dealing with reportable incidents – require a provider to engage an appropriately qualified and independent expert to undertake and investigation and provide a report	Paragraph 95G(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
111	Actions in dealing with reportable incidents – carry out an inquiry in relation to the incident in accordance with section 95H	Paragraph 95G(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
112	Actions in dealing with reportable incidents – if an incident is investigated under paragraph 95G(1)(c) or 95G(1)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95G(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>



113	Conduct an inquiry in relation to reportable incidents	Section 95H (referred to in paragraph 95G(1)(e))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Reconsideration and review of decisions</b>			
114	Reconsider a complaints reviewable Commissioner decision (note restrictions on delegate selection in subsection 100(1))	Section 100  (note: powers in legislation are to be exercised by an 'internal reviewer'. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 100(1))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
115	Reconsider a regulatory reviewable Commissioner decision (note restrictions on delegate selection in subsection 101(1))	Section 101  (note: powers in legislation are to be exercised by an 'internal reviewer'. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 101(1))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
116	Reconsideration of a regulatory reviewable decision on own initiative (note restrictions on delegate selection in subsection 102(1))	Section 102  (note: powers in legislation are to be exercised by an 'internal reviewer'. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 102(1))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

117	Publish reconsideration decisions and any site audit report or review audit report considered in making the decision on the Commission's website, publish notices stating that a reconsideration decision is subject to review by the Administrative Appeals Tribunal, and publish decisions of the Tribunal	Section 104	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Information sharing and confidentiality</b>			
118	Provide in writing information about the failure by an Aboriginal and Torres Strait Islander service to comply with the Quality Review Guidelines to the Secretary	Section 108	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
119	Provide in writing information about the failure by a home support service to comply with the Aged Care Quality Standards to the Secretary	Section 109	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
120	Disclose protected information based on belief, on reasonable grounds, that not disclosing would place an aged care consumer's safety, health or well-being is at risk	Section 111	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b><i>Regulatory Powers (Standard Provisions) Act 2014</i></b>			
121	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 2 are triggered by section 74B of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 35(1), 35(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
122	Must take reasonable steps to return seized things under Part 3 in certain circumstances	Section 66	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i>		
123	<p>Apply to issuing officer for an order permitting the retention of a thing seized under Part 3</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 67	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
124	<p>Dispose of a thing seized under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 68	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
125	<p>Issue an identity card to an authorised person</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Subsections 76(1), 76(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
126	<p>Issue an infringement notice as an infringement officer</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 103	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
127	<p>Relevant chief executive may extend the period of time to pay the amount in an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 105	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

128	<p>Relevant chief executive may withdraw of an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 106	<ul style="list-style-type: none"><li>• SES Band 1</li></ul>
129	<p>Accept an enforceable undertaking as the authorised person</p> <p><u>Note:</u> the powers in Part 6 are triggered by section 74EC of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 114	<ul style="list-style-type: none"><li>• SES Band 1</li><li>• EL 2</li></ul>

SCHEDULE 2

	Column 1	Column 2
Item	Power or function	Delegate
1	Powers and functions under Part 7B of the <i>Aged Care Quality and Safety Commission Act 2018</i> as they relate to the enforcement of an aged care responsibility referred to under paragraph 63-1(1)(a) or (h) of the <i>Aged Care Act 1997</i>	SES Band 1 or EL 2 officers in the branch responsible for Aged Care Funding Instrument (ACFI) compliance in the Department of Health.




## Aged Care Quality and Safety Commission (Commissioner) Delegation (No. 7) 2022

I, Janet Anderson, Commissioner of the Aged Care Quality and Safety Commission, under subsections 76(1) and 76(1A) of the *Aged Care Quality and Safety Commission Act 2018*:

1. REVOKE all previous instruments of delegation made under those subsections;
2. DELEGATE to each person from time to time holding, or performing the duties of, a position at a classification level or described by a position title or other description in the Aged Care Quality and Safety Commission mentioned in Column 3 of an item in Schedule 1, my powers or functions under the provisions mentioned in Column 2 of the item;<sup>1</sup> and
3. DELEGATE to each person from time to time holding, or performing the duties of, a position in the Department of Health mentioned in Column 2 of an item in Schedule 2, my powers or functions under the provisions mentioned in Column 1 of the item.

Dated this 30/11/2022 | 16:10 AEDT

day of 2022.

DocuSigned by:  
  
ADA89860FB5A432...

Janet Anderson  
Commissioner

<sup>1</sup> NOTE: the description of the power or function in Column 1 of an item in the Schedule is for information purposes only. The correct reference for identifying a power or function in an item is the provision, or provisions, mentioned in Column 2 of the item.

## SCHEDULE 1

	Column 1	Column 2	Column 3
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b><i>Aged Care Act 1997</i></b>		
1	Approve form of notification for change of circumstances materially affecting approved provider's suitability.	Subsection 9-1(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
2	Approve form of notification of certain events relating to key personnel of an approved provider and specify information to accompany application	Paragraphs 9-2A(2)(b), 9-2A(2)(c), 9-2A(2)(d), 9-2A(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
3	Request an approved provider to give information relevant to the suitability of an individual who is a key personnel of the approved provider to be involved in the provision of aged care.	Subsection 9-2(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
4	Request a current or former provider to give information relating to refundable deposits, accommodation bonds, entry contributions etc.	Subsection 9-3A(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
5	Request a provider to give information about ability to refund balances	Subsections 9-3B(2), 9-3B(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
6	Determine whether an individual who is one of the key personnel of an approved provider, is suitable to be involved in the provision of aged care	Section 10A-2	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
7	Request to give information or documents relating to the use of refundable deposit or accommodation bond to make a loan	Subsections 52N-3(1), 52N-3(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
8	Determine certain responsibilities relating to the governing body of an approved provider do not apply	Section 63-1E	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
9	Approve form for requesting a determination that certain governance responsibilities do not apply, specify documents and information to accompany application and specify fee for application	Paragraphs 63-1E(2)(b) 63-1E(2)(c) 63-1E(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
10	Decide to vary or revoke a determination made under subsection 63-1E(3) on the Commissioner's own initiative regarding governance responsibilities exemptions	Section 63-1F	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b><i>Aged Care Quality and Safety Commission Act 2018</i></b>			
<b>Information sharing</b>			
11	Giving information to the Secretary in certain circumstances (also see Division 2 of Part 8 of the Rules)	Subsections 56(1), 56(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
<b>Making information publicly available</b>			
12	Making information about an aged care service publicly available	Section 59	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>



	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
13	Making information about a Commonwealth funded aged care service publicly available	Section 59A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Protected information</b>			
14	Disclosure of protected information	Section 61	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Application for approval as provider of aged care</b>			
15	Approve form of application for approval as provider of aged care, specify documents and information to accompany application and specify fee for application	Paragraphs 63B(2)(b), 63B(2)(c), 63B(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
16	Request a person who has applied for approval to give further information within a specified period and extend the period within which person is to provide information	Section 63C	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
17	Decision as to whether to approve a person as a provider of aged care	Section 63D	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
18	Notify a person who has applied for approval of decision relating to approval	Section 63E	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Cessation and revocation of approval</b>			
19	Decide whether to revoke approval when requested by provider, notify provider of decision and give	Section 63H	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	Secretary a copy of notice		
20	Approve form of request for revocation by approved provider, specify information or documents to accompany request and specify fee	Paragraphs 63H(2)(b), 63H(2)(c), 63H(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
21	Decide to revoke approval if satisfied of certain matters (no application by provider required)	Section 63J	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
22	Notify provider that revocation is being considered	Section 63K	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
23	Notify provider that their approval has been revoked or limited and notify of the revocation day	Section 63L	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Imposition of sanctions by the Commissioner</b>			
24	Decide to impose sanctions and notify the provider of the decision	Section 63N	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
25	Specify a day revocation must take effect (in certain circumstances)	Section 63P	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
26	Specify a day when revocation or suspension of allocation of places is to take effect	Section 63Q	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notices that must, or may be given, before sanctions are imposed</b>			
27	Notify provider of intention to impose	Section 63S	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	sanctions on the provider		
28	Require a provider to give Commissioner an undertaking about remedying non-compliance	Section 63T	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
29	Approve form of undertaking	Paragraph 63T(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
30	Require a provider to agree to certain actions if revocation of approval is being considered	Section 63U	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
31	Approve form of application to lift sanction, specify documents or information to accompany application and specify fee	Paragraphs 63V(2)(b), 63V(2)(c), 63V(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
32	Request provider to give further information about an application under subsection 63V(1) and extend period for giving information	Section 63W	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
33	Decide whether to lift sanction imposed on provider	Section 63X	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
34	Notify provider of a decision on whether to lift sanction imposed on provider	Section 63Y	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Powers of authorised officers in relation to premises</b>		
35	Consider it necessary for an authorised officer to enforce powers under	Paragraph 64A(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	Division 2, Part 8 for the purpose of making a decision on an application for approval		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
36	Consider it necessary for an authorised officer to exercise powers under Division 2, Part 8 for the purpose of resolving a complaint or dealing with information about provider responsibilities	Paragraph 65(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Powers of regulatory officials in relation to premises</b>			
37	Consider it necessary for a regulatory official to enter any premises and exercise search powers for regulatory purposes	Subsection 68(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Identity cards</b>			
38	Identity card to be issued to a person who is a quality assessor	Subsections 74(1), 74(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
<b>Compliance notices</b>			
39	Issue a written compliance notice (or vary or revoke the compliance notice)	Section 74EE	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notice to attend to answer questions etc.</b>			
40	Require a person to attend before an authorised officer to answer questions or give information or documents	Section 74F	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
41	Require a person to attend before an authorised officer to answer questions or give information or documents relevant to compliance with the Code of Conduct of Aged Care	Section 74FA	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
42	Issue a notice requiring information or documents (and extend the time of the notice)	Section 74GA	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Banning orders</b>		
43	Make a banning order prohibiting or restricting an individual who is or was an aged care worker, or who is or was a governing person, of an approved provider	Subsections 74GB(1), 74GB(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
44	Make a banning order prohibiting or restricting an individual who has not previously been an aged care worker, or a governing person, of an approved provider	Subsections 74GB(3), 74GB(4), 74GB(5), 74GB(6)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
45	Give an individual a notice of banning order and specify applications of the banning order	Section 74GC	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
46	Notify individual that a banning order is being considered	Section 74GE	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
47	Decide, on own initiative, to vary or revoke a banning order made against an individual	Section 74GF	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
48	Approve form of application for variation or revocation of a banning order, and	Paragraphs 74GG(2)(b), 74GG(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	require other documents or information to be accompanied with an application		
49	Decide, on an individual's application, whether to vary or revoke a banning order made against the individual	Subsection 74GG(3), 74GG(4), 74GG(5), 74GG(6), 74GG(7)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
50	Approve form of application for variation or revocation of a condition to which a banning order is subject, and require other documents or information to be accompanied with an application	Paragraphs 74GH(2)(b), 74GH(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
51	Decide, on an individual's application, whether to vary or revoke a condition to which a banning order is subject	Subsection 74GH(3), 74GH(4), 74GH(5), 74GH(6), 74GH(7)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
52	Establish and maintain a register of banning orders	Section 74GI	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>
	<b>Reconsideration and review of decisions</b>		
53	Reconsider reviewable decision on request and give notice of decision	Section 74L	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1 (item 1 in the table in section 74J only)</li> </ul>
54	Reconsider reviewable decision on own initiative	Section 74M	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>•</li> </ul>
	<b>Miscellaneous</b>		
55	Appoint an authorised officer	Subsections 75A(1), 75A(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
56	Give a direction to authorised officers	Subsection 75A(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>•</li> </ul>
<b><i>Aged Care Quality and Safety Commission Rules 2018</i></b>			
<b>Dealing with complaints and provider responsibility information</b>			
57	Decide to take no further action in relation to the issue under section 14	Paragraph 13(1)(a)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
58	Take appropriate action to resolve the issue or decide to undertake a resolution process in relation to the issue under section 15	Paragraphs 13(1)(b), 13(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
59	Decide to take no further action in relation to an issue raised in a complaint and give relevant written notices of decision	Section 14	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
60	Decide to undertake resolution process and perform actions arising from that decision	Section 15	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
61	Give notice to provider of decision to undertake a resolution process	Section 16	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
62	Decide to end a resolution process and give notice	Section 17	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
63	Give information about resolution process to person or body with sufficient interest	Section 18	<ul style="list-style-type: none"><li>• SES Band 1</li><li>• EL 2</li><li>• EL 1</li></ul>



	<b>Directions</b>		
64	Give directions to relevant providers	Section 19	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
65	Give notice of intention to give directions to relevant providers	Section 20	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
66	Give a notice of failure to comply with direction	Subsection 21(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Taking action in relation to Code of Conduct functions</b>		
67	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care	Paragraphs 23BD(1)(a), 23BD(1)(b), 23BD(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
68	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – carry out an investigation	Paragraph 23BD(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
69	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – refer information about the compliance to another person or body	Paragraph 23BD(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
70	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – take any other action that the Commissioner considers reasonable in the circumstances	Paragraph 23BD(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
71	Require action by approved providers – require provider to carry out an internal investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(a)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
72	Require action by approved providers – require provider to engage an appropriately qualified and independent expert to	Paragraph 23BD(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

	carry out an investigation into the compliance and give a written report on the investigation		
73	Require action by approved providers – require provider to undertake specified action in relation to the compliance	Paragraph 23BD(3)(c)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
74	Require an individual to undertake specified action in relation to the compliance	Subsection 23BD(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
75	Refer information about the compliance to the approved provider and require the provider to take appropriate action in relation to the compliance	Subsection 23BD(5)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
76	Take any other action to deal with the outcome of an investigation, as appropriate	Section 23BE	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Doing other things in relation to Code of Conduct functions</b>		
77	Give written notice setting out the outcomes of an investigation carried out by the Commissioner that is closed	Section 23BH	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Register of banning orders</b>		
78	Consider that further information is necessary to identify an individual and include that information in the register of banning order	Section 23CB	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>
79	Consider that information included in the register of banning orders in relation to an individual is inaccurate, out-of-date, incomplete, irrelevant or misleading, and correct the information	Section 23CF	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>
	<b>Publication of register of banning orders</b>		
80	Consider that publication of a part of the register of banning orders would be contrary to public interest	Subsection 23CG(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	or the interests of one or more care recipients		
	<b>Accreditation of residential aged care services</b>		
81	Approve form of application and require other information or documents to be accompanied with an application	Paragraphs 28(1)(b), 28(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
82	Specify a fee for an application for accreditation or re-accreditation	Paragraph 28(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
83	Decide whether to accredit a commencing service or re-accredit a recommencing service and decide whether there are areas of improvement (if the service is accredited or re-accredited)	Section 29	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
84	Give notice of a decision to accredit a commencing service or re-accredit a recommencing service	Subsection 30(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
85	Give an approved provider of a commencing service that obtains accreditation a certificate of accreditation for the service	Subsection 30(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
86	Give notice of a decision not to accredit a commencing service or re-accredit a recommencing service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 31	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

87	Appoint one or more quality assessors to form an assessment team to conduct a site audit of a service that has applied for re-accreditation and give the assessment team any information or documents that accompanied the application for re-accreditation	Section 32	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
88	Give to an approved provider who has applied for re-accreditation the form of words and poster to be used to tell consumers about site audit	Section 33	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
89	Give directions to an assessment team conducting a site audit	Paragraph 36(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
90	Give relevant information to an assessment team [this is in addition to any information given under paragraph 32(1)(b)]	Paragraph 36(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
91	Give a copy of the site audit report to the approved provider of the residential service	Subsection 40(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
92	Prepare a performance report about a residential service and give a copy to the provider of the service	Section 40A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
93	Decide whether to re-accredit a residential service	Subsection 41(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
94	Decide the further period for which the service is accredited	Subsection 41(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

			<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
95	Give notice of a decision to re-accredit a commencing service and certificate of accreditation	Section 42	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
96	Give notice of decision not to re-accredit a service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 43	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
97	Decide to revoke the accreditation of an accredited service that the Commissioner decided not to re-accredit and decide the day on which the revocation is to take effect	Subsections 44(1), 44(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
98	Provide written notice to an approved provider of a residential service that was not re-accredited and whose accreditation has been revoked	Section 45	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
99	Give to an approved provider a reminder notice about the end of accreditation and form of words/ a poster to inform care recipients and representatives of the site audit to be conducted should the provider wish the service to be re-accredited	Section 46	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
100	Publish decisions relating to accreditation	Section 48	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

<b>Quality reviews of services</b>			
101	Determine that it is appropriate to conduct a quality review of two or more services of the same provider at the same time	Subsection 52(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
102	Appoint quality assessors to form an assessment team and give them any relevant information or documents	Section 53A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
103	Give the home service provider of the home service a written notice of the quality audit and the day or days on which it will be conducted at the premises	Section 53B	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
104	Give directions to the assessment team for a quality audit	Subsection 54(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>•</li> </ul>
105	Give a copy of the quality audit report to the home service provider	Subsection 56(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
106	Prepare a performance report about the quality audit of a home service and give that report to the provider of the service and publish the report on the Commission's website	Section 57	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
107	Conduct quality review of Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines	Section 58	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b>Plans for continuous improvement</b>			
108	Request that approved providers provide a copy of the plan for	Section 63	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	continuous improvement for the service		<ul style="list-style-type: none"> <li>Quality Assessor (member of staff of the Commission)</li> </ul>
109	Direct the provider to revise plan for continuous improvement and give the Commissioner a copy of the revised plan.	Section 63A	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> </ul>
<b>Assessment contacts by regulatory officials</b>			
110	Make an assessment contact with the approved provider of an accredited service or a previously accredited service, or the home service provider of a home service in accordance with notified arrangements or at any other time (with or without notice)	Subsection 64(1)	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> <li>APS 6</li> </ul>
111	Give written notice of the arrangements for assessment contacts with the provider	Section 65	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> </ul>
112	<p>Before a visit to the premises of the service is made, give the:</p> <ul style="list-style-type: none"> <li>Approved provider of an accredited service or a previously accredited service a poster to inform the consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> <li>Home service provider of a home service written notice of the form of words</li> </ul>	Subsections 66(2), 66(4)	<ul style="list-style-type: none"> <li>SES Band 1</li> <li>EL 2</li> <li>EL 1</li> <li>APS 6</li> </ul>

	to be used to tell the aged care consumers of the service, and the nominated representatives of those consumers, about the assessment contact		
113	Request information or documents relating to the purpose of assessment contact	Subsection 67(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
114	Prepare an assessment contact report.	Subsection 68(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
115	Give a copy of the assessment contact report prepared after an assessment contact to the provider	Subsection 68(5)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
116	Prepare a performance report, give a copy of the report to the provider and publish the report on the Commission's website	Section 68A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Review audits of accredited services</b>			
117	Arrange for a review audit of an accredited service to be conducted	Section 70	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
118	Appoint two or more quality assessors to form an assessment team to conduct a review audit	Section 71	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
119	Give to an approved provider of an accredited service a poster to inform consumers and nominated representatives about the audit	Section 72	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>



120	Give directions to the assessment team for a review audit of an accredited service	Paragraph 73(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
121	Give a copy of a review audit report to an approved provider after reviewing it	Subsection 76(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
122	Prepare a performance report after receiving a review audit report and give a copy of the report to the provider of the service	Section 76A	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
123	<p>After giving a performance report, decide whether to revoke the accreditation of the service.</p> <p>If revoking, decide the date the revocation is to take effect.</p> <p>If not revoking, decide whether to vary the service's period of accreditation.</p>	Subsections 77(1), 77(3), 77(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
124	If revoking, give to the approved provider of the service a written notice	Section 78	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
125	Give notice of a decision not to revoke accreditation of accredited service to the approved provider of the service	Subsection 79(1)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
126	Provide the approved provider of the service a new certificate of accreditation for the service that states the varied period of accreditation	Subsection 79(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS4-6</li> </ul>
127	Publish, at the appropriate time, decisions relating to accreditation and performance reports	Section 80	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Monitoring of Aboriginal and Torres Strait Islander services</b>		
128	Monitor an Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines.	Section 86	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Registration of quality assessors</b>		
129	Approve the form of the application for registration as a quality assessor, specify any information or documents to be included and specify a fee	Paragraphs 89(2)(b), 89(2)(d), 89(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
130	Register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(1), 90(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
131	Refuse to register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(3), 90(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
132	Approve the form of the application to be re-registered as a quality assessor, specify any other information or documents to be included in the application and specify fee	Paragraphs 91(2)(b), 91(2)(e), 91(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
133	Determine whether to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(1), 92(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
134	Refuse to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(3), 92(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

135	Decide to cancel a quality assessor's registration, and give written notice of the cancellation and reasons for the cancellation	Section 94	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reportable incidents</b>			
136	Require specified information about reportable incidents of an approved provider	Section 95C	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
137	Decide certain reportable incidents not required to be notified by an approved provider	Section 95D	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
138	Require final report on reportable incident of an approved provider	Section 95E	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
139	Approve the form for the purposes of Division 4 of Part 4B of the <i>Quality of Care Principles 2014</i>	Section 95F	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
140	Actions in dealing with reportable incidents of an approved provider – referral to police or body or person with responsibility	Paragraphs 95G(1)(a), 95G(1)(aa)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
141	Actions in dealing with reportable incidents of an approved provider	Paragraphs 95G(1)(b), 95G(1)(c), 95G(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
142	Actions in dealing with reportable incidents – require an approved provider to engage an appropriately qualified and independent expert to undertake and investigation and provide a report	Paragraph 95G(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

143	Actions in dealing with reportable incidents of an approved provider – carry out an inquiry in relation to the incident in accordance with section 95H	Paragraph 95G(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
144	Actions in dealing with reportable incidents of an approved provider – if an incident is investigated under paragraph 95G(1)(c) or 95G(1)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95G(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
145	Conduct an inquiry in relation to reportable incidents of an approved provider	Section 95H (referred to in paragraph 95G(1)(e))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
146	Actions in dealing with reportable incidents of an approved provider – if an final report is required under subsection 95E(1), take any action in response to the report, as appropriate	Subsection 95E(3)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
147	Require specified information about reportable incidents of a service provider	Section 95L	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
148	Require final report on reportable incident of a service provider	Paragraph 95M(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
149	Actions in dealing with reportable incidents of a service provider – referral to police or body or person with responsibility	Paragraphs 95(M)(2)(a), 95(M)(2)(b)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

150	Actions in dealing with reportable incidents of a service provider	Paragraphs 95M(2)(c), 95M(2)(d), 95M(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
151	Actions in dealing with reportable incidents of a service provider – if an incident is investigated under paragraph 95M(2)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95M(4)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
152	Actions in dealing with reportable incidents of a service provider – if a final report is required and given under paragraph 95M(2)(e), take any action in response to the report, as appropriate	Subsection 95M(5)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reconsideration and review of decisions</b>			
153	Reconsider a complaints reviewable Commissioner decision (note restrictions on delegate selection in subsection 100(1))	Section 100  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 100(1))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
154	Reconsider a regulatory reviewable Commissioner decision (note restrictions on delegate selection in subsection 101(1))	Section 101  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 101(1))	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
155	Reconsideration of a regulatory reviewable	Section 102	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>

	decision on own initiative (note restrictions on delegate selection in subsection 102(1))	(note: powers in legislation are to be exercised by an 'internal reviewer'. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 102(1))	<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> </ul>
156	Publish reconsideration decisions and any site audit report or review audit report considered in making the decision on the Commission's website, publish notices stating that a reconsideration decision is subject to review by the Administrative Appeals Tribunal, and publish decisions of the Tribunal	Section 104	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Information sharing and confidentiality</b>			
157	Provide in writing information about the failure by an Aboriginal and Torres Strait Islander service to comply with the Quality Review Guidelines to the Secretary	Section 108	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
158	Provide in writing information about the failure by a home support service to comply with the Aged Care Quality Standards to the Secretary	Section 109	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
159	Disclose protected information based on belief, on reasonable grounds, that not disclosing would place an aged care consumer's safety, health or well-being is at risk	Section 111	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>

<b><i>Regulatory Powers (Standard Provisions) Act 2014</i></b>			
160	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 2 are triggered by section 74B of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 35(1), 35(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
161	Must take reasonable steps to return seized things under Part 3 in certain circumstances  <u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 66	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
162	Apply to issuing officer for an order permitting the retention of a thing seized under Part 3  <u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 67	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
163	Dispose of a thing seized under Part 3 in certain circumstances  <u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 68	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
164	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 76(1), 76(2)	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>

165	<p>Issue an infringement notice as an infringement officer</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 103	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
166	<p>Relevant chief executive may extend the period of time to pay the amount in an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 105	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
167	<p>Relevant chief executive may withdraw of an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 106	<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
168	<p>Accept an enforceable undertaking as the authorised person</p> <p><u>Note:</u> the powers in Part 6 are triggered by section 74EC of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 114	<ul style="list-style-type: none"> <li>• SES Band 1</li> <li>• EL 2</li> </ul>



## SCHEDULE 2

	Column 1	Column 2
<i>Item</i>	<i>Power or function</i>	<i>Delegate</i>
1	Powers and functions under Part 7B of the <i>Aged Care Quality and Safety Commission Act 2018</i> as they relate to the enforcement of an aged care responsibility referred to under paragraph 63-1(1)(a) or (h) of the <i>Aged Care Act 1997</i>	SES Band 1 or EL 2 officers in the branch responsible for Aged Care Funding Instrument (ACFI) compliance in the Department of Health.




## Aged Care Quality and Safety Commission (Commissioner) Delegation (No.8) 2024

I, Janet Anderson, Commissioner of the Aged Care Quality and Safety Commission, under subsections 76(1) and 76(1A) of the *Aged Care Quality and Safety Commission Act 2018*:

1. REVOKE all previous instruments of delegation made under those subsections;
2. DELEGATE to each person from time to time holding, or performing the duties of, a position at a classification level or described by a position title or other description in the Aged Care Quality and Safety Commission mentioned in Column 3 of an item in Schedule 1, my powers or functions under the provisions mentioned in Column 2 of the item;<sup>1</sup> and
3. DELEGATE to each person from time to time holding, or performing the duties of, a position in the Department of Health mentioned in Column 2 of an item in Schedule 2, my powers or functions under the provisions mentioned in Column 1 of the item.

Dated this 17/2/2024 | 21:18 AEST

2024.

DocuSigned by:  
  
 ADA89860FB5A432...  
 Janet Anderson  
 Commissioner

<sup>1</sup> NOTE: the description of the power or function in Column 1 of an item in the Schedule is for information purposes only. The correct reference for identifying a power or function in an item is the provision, or provisions, mentioned in Column 2 of the item.

## SCHEDULE 1

	Column 1	Column 2	Column 3
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b><i>Aged Care Act 1997</i></b>		
1	Approve form of notification for change of circumstances materially affecting approved provider's suitability.	Subsection 9-1(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
2	Approve form of notification of certain events relating to key personnel of an approved provider and specify information to accompany application	Paragraphs 9-2A(2)(b), 9-2A(2)(c), 9-2A(2)(d), 9-2A(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
3	Request an approved provider to give information relevant to the approved provider's suitability to be a provider of aged care.	Subsection 9-2(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
4	Request an approved provider to give information relevant to the suitability of an individual who is one of its key personnel, to be involved in the provision of aged care.	Subsection 9-2(1A)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
5	Request a current or former provider to give information relating to refundable deposits, accommodation bonds, entry contributions etc.	Subsection 9-3A(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
6	Request a provider to give information about ability to refund balances	Subsections 9-3B(2), 9-3B(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
7	Determine whether an individual who is one of	Section 10A-2	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	the key personnel of an approved provider, is suitable to be involved in the provision of aged care		<ul style="list-style-type: none"> <li>• EL2</li> <li>• EL1</li> </ul>
8	Request to give information or documents relating to the use of refundable deposit or accommodation bond to make a loan	Subsections 52N-3(1), 52N-3(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
9	Determine certain responsibilities relating to the governing body of an approved provider do not apply	Section 63-1E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
10	Approve form for requesting a determination that certain governance responsibilities do not apply, specify documents and information to accompany application and specify fee for application	Paragraphs 63-1E(2)(b) 63-1E(2)(c) 63-1E(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
11	Decide to vary or revoke a determination made under subsection 63-1E(3) on the Commissioner's own initiative regarding governance responsibilities exemptions	Section 63-1F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b><i>Aged Care Quality and Safety Commission Act 2018</i></b>			
<b>Information sharing</b>			
12	Giving information to the Secretary in certain circumstances (also see Division 2 of Part 8 of the Rules)	Subsections 56(1), 56(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
<b>Making information publicly available</b>			

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
13	Making information about an aged care service publicly available	Section 59	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
14	Making information about a Commonwealth funded aged care service publicly available	Section 59A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Protected information</b>			
15	Disclosure of protected information	Section 61	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Application for approval as provider of aged care</b>			
16	Approve form of application for approval as provider of aged care, specify documents and information to accompany application and specify fee for application	Paragraphs 63B(2)(b), 63B(2)(c), 63B(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
17	Request a person who has applied for approval to give further information within a specified period and extend the period within which person is to provide information	Section 63C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
18	Decision as to whether to approve a person as a provider of aged care	Section 63D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
19	Notify a person who has applied for approval of	Section 63E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	decision relating to approval		<ul style="list-style-type: none"> <li>• EL 2</li> </ul>
<b>Cessation and revocation of approval</b>			
20	Decide whether to revoke approval when requested by provider, notify provider of decision and give Secretary a copy of notice	Section 63H	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
21	Approve form of request for revocation by approved provider, specify information or documents to accompany request and specify fee	Paragraphs 63H(2)(b), 63H(2)(c), 63H(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
22	Decide to revoke approval if satisfied of certain matters (no application by provider required)	Section 63J	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
23	Notify provider that revocation is being considered	Section 63K	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
24	Notify provider that their approval has been revoked or limited and notify of the revocation day	Section 63L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Imposition of sanctions by the Commissioner</b>			
25	Decide to impose sanctions and notify the provider of the decision	Section 63N	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
26	Specify a day revocation must take effect (in certain circumstances)	Section 63P	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
27	Specify a day when revocation or suspension of allocation of places is to take effect	Section 63Q	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notices that must, or may be given, before sanctions are imposed</b>			
28	Notify provider of intention to impose sanctions on the provider	Section 63S	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
29	Require a provider to give Commissioner an undertaking about remedying non-compliance	Section 63T	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
30	Approve form of undertaking	Paragraph 63T(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
31	Require a provider to agree to certain actions if revocation of approval is being considered	Section 63U	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
32	Approve form of application to lift sanction, specify documents or information to accompany application and specify fee	Paragraphs 63V(2)(b), 63V(2)(c), 63V(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
33	Request provider to give further information about an application under subsection 63V(1) and extend period for giving information	Section 63W	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
34	Decide whether to lift sanction imposed on provider	Section 63X	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
35	Notify provider of a decision on whether to lift sanction imposed on provider	Section 63Y	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Powers of authorised officers in relation to premises</b>			
36	Consider it necessary for an authorised officer to enforce powers under Division 2, Part 8 for the purpose of making a decision on an application for approval	Paragraph 64A(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
37	Consider it necessary for an authorised officer to exercise powers under Division 2, Part 8 for the purpose of resolving a complaint or dealing with information about provider responsibilities	Paragraph 65(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Powers of regulatory officials in relation to premises</b>			
38	Consider it necessary for a regulatory official to enter any premises and exercise search powers for regulatory purposes	Subsection 68(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Identity cards</b>			
39	Identity card to be issued to a person who is a quality assessor	Subsections 74(1), 74(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>



	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b>Compliance notices</b>		
40	Issue a written compliance notice (or vary or revoke the compliance notice)	Section 74EE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Notice to attend to answer questions etc.</b>		
41	Require a person to attend before an authorised officer to answer questions or give information or documents	Section 74F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
42	Require a person to attend before an authorised officer to answer questions or give information or documents relevant to compliance with the Code of Conduct of Aged Care	Section 74FA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
43	Issue a notice requiring information or documents (and extend the time of the notice)	Section 74GA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Banning orders</b>		
44	Make a banning order prohibiting or restricting an individual who is or was an aged care worker, or who is or was a governing person, of an approved provider	Subsections 74GB(1), 74GB(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
45	Make a banning order prohibiting or restricting an individual who has not previously been an aged care worker, or a governing person, of an approved provider	Subsections 74GB(3), 74GB(4), 74GB(5), 74GB(6)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Description of power or function</b>	<b>Power or function</b>	<b>Delegate</b>
46	Give an individual a notice of banning order and specify applications of the banning order	Section 74GC	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
47	Notify individual that a banning order is being considered	Section 74GE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
48	Decide, on own initiative, to vary or revoke a banning order made against an individual	Section 74GF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
49	Approve form of application for variation or revocation of a banning order, and require other documents or information to be accompanied with an application	Paragraphs 74GG(2)(b), 74GG(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
50	Decide, on an individual's application, whether to vary or revoke a banning order made against the individual	Subsection 74GG(3), 74GG(4), 74GG(5), 74GG(6), 74GG(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
51	Approve form of application for variation or revocation of a condition to which a banning order is subject, and require other documents or information to be accompanied with an application	Paragraphs 74GH(2)(b), 74GH(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
52	Decide, on an individual's application, whether to vary or revoke a condition to which a banning order is subject	Subsection 74GH(3), 74GH(4), 74GH(5), 74GH(6), 74GH(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
53	Establish and maintain a register of banning orders	Section 74GI	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
			<ul style="list-style-type: none"> <li>• EL1</li> </ul>
	<b>Reconsideration and review of decisions</b>		
54	Reconsider reviewable decision on request and give notice of decision	Section 74L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1 (item 1 in the table in section 74J only)</li> </ul>
55	Reconsider reviewable decision on own initiative	Section 74M	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Miscellaneous</b>		
56	Appoint an authorised officer	Subsections 75A(1), 75A(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
57	Give a direction to authorised officers	Subsection 75A(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
	<b><i>Aged Care Quality and Safety Commission Rules 2018</i></b>		
	<b>Dealing with complaints and provider responsibility information</b>		
58	Decide to take no further action in relation to the issue under section 14	Paragraph 13(1)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
59	Take appropriate action to resolve the issue or decide to undertake a resolution process in relation to the issue under section 15	Paragraphs 13(1)(b), 13(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
60	Decide to take no further action in relation to an issue raised in a complaint and give	Section 14	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	relevant written notices of decision		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
61	Decide to undertake resolution process and perform actions arising from that decision	Section 15	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
62	Give notice to provider of decision to undertake a resolution process	Section 16	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
63	Decide to end a resolution process and give notice	Section 17	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
64	Give information about resolution process to person or body with sufficient interest	Section 18	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	<b>Directions</b>		
65	Give directions to relevant providers	Section 19	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
66	Give notice of intention to give directions to relevant providers	Section 20	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
67	Give a notice of failure to comply with direction	Subsection 21(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Taking action in relation to Code of Conduct functions</b>		
68	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care	Paragraphs 23BD(1)(a), 23BD(1)(b), 23BD(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
69	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – carry out an investigation	Paragraph 23BD(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
70	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – refer information about the compliance to another person or body	Paragraph 23BD(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
71	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – take any other action that the Commissioner considers reasonable in the circumstances	Paragraph 23BD(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
72	Require action by approved providers – require provider to carry out an internal investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

73	Require action by approved providers – require provider to engage an appropriately qualified and independent expert to carry out an investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
74	Require action by approved providers – require provider to undertake specified action in relation to the compliance	Paragraph 23BD(3)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
75	Require an individual to undertake specified action in relation to the compliance	Subsection 23BD(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
76	Refer information about the compliance to the approved provider and require the provider to take appropriate action in relation to the compliance	Subsection 23BD(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
77	Take any other action to deal with the outcome of an investigation, as appropriate	Section 23BE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Doing other things in relation to Code of Conduct functions</b>			
78	Give written notice setting out the outcomes of an investigation carried out by the Commissioner that is closed	Section 23BH	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Register of banning orders</b>			
79	Consider that further information is necessary to identify an individual and include that information in the register of banning order	Section 23CB	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
80	Consider that information included in the register of banning orders in relation to an individual is inaccurate, out-of-date, incomplete, irrelevant or	Section 23CF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>

	misleading, and correct the information		
	<b>Publication of register of banning orders</b>		
81	Consider that publication of a part of the register of banning orders would be contrary to public interest or the interests of one or more care recipients	Subsection 23CG(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
	<b>Accreditation of residential aged care services</b>		
82	Approve form of application and require other information or documents to be accompanied with an application	Paragraphs 28(1)(b), 28(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
83	Specify a fee for an application for accreditation or re-accreditation	Paragraph 28(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
84	Decide whether to accredit a commencing service or re-accredit a recommencing service and decide whether there are areas of improvement (if the service is accredited or re-accredited)	Section 29	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
85	Give notice of a decision to accredit a commencing service or re-accredit a recommencing service	Subsection 30(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
86	Give an approved provider of a commencing service that obtains accreditation a certificate of accreditation for the service	Subsection 30(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
87	Give notice of a decision not to accredit a commencing service or re-accredit a recommencing service	Section 31	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service		
88	Appoint one or more quality assessors to form an assessment team to conduct a site audit of a service that has applied for re-accreditation and give the assessment team any information or documents that accompanied the application for re-accreditation	Section 32	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
89	Give to an approved provider who has applied for re-accreditation the form of words and poster to be used to tell consumers about site audit	Section 33	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
90	Give directions to an assessment team conducting a site audit	Paragraph 36(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
91	Give relevant information to an assessment team [this is in addition to any information given under paragraph 32(1)(b)]	Paragraph 36(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
92	Give a copy of the site audit report to the approved provider of the residential service	Subsection 40(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
93	Prepare a performance report about a residential	Section 40A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>



	service and give a copy to the provider of the service		<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> </ul>
94	Decide whether to re-accredit a residential service	Subsection 41(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
95	Decide the further period for which the service is accredited	Subsection 41(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
96	Give notice of a decision to re-accredit a commencing service and certificate of accreditation	Section 42	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
97	Give notice of decision not to re-accredit a service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 43	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
98	Decide to revoke the accreditation of an accredited service that the Commissioner decided not to re-accredit and decide the day on which the revocation is to take effect	Subsections 44(1), 44(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
99	Provide written notice to an approved provider of a residential service that was not re-accredited and whose accreditation has been revoked	Section 45	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
100	Give to an approved provider a reminder notice about the end of	Section 46	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	accreditation and form of words/ a poster to inform care recipients and representatives of the site audit to be conducted should the provider wish the service to be re-accredited		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
101	Publish decisions relating to accreditation	Section 48	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Quality reviews of services</b>			
102	Determine that it is appropriate to conduct a quality review of two or more services of the same provider at the same time	Subsection 52(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
103	Appoint quality assessors to form an assessment team and give them any relevant information or documents	Section 53A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
104	Give the home service provider of the home service a written notice of the quality audit and the day or days on which it will be conducted at the premises	Section 53B	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
105	Give directions to the assessment team for a quality audit	Subsection 54(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
106	Give a copy of the quality audit report to the home service provider	Subsection 56(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
107	Prepare a performance report about the quality audit of a home service and give that report to the provider of the service	Section 57	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and publish the report on the Commission's website		
108	Conduct quality review of Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines	Section 58	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b>Plans for continuous improvement</b>			
109	Request that approved providers provide a copy of the plan for continuous improvement for the service	Section 63	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
110	Direct the provider to revise plan for continuous improvement and give the Commissioner a copy of the revised plan.	Section 63A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Assessment contacts by regulatory officials</b>			
111	Make an assessment contact with the approved provider of an accredited service or a previously accredited service, or the home service provider of a home service in accordance with notified arrangements or at any other time (with or without notice)	Subsection 64(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
112	Give written notice of the arrangements for assessment contacts with the provider	Section 65	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
113	Before a visit to the premises of the service is made, give the:	Subsections 66(2), 66(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<ul style="list-style-type: none"> <li>• Approved provider of an accredited service or a previously accredited service a poster to inform the consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> <li>• Home service provider of a home service written notice of the form of words to be used to tell the aged care consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> </ul>		<ul style="list-style-type: none"> <li>• EL 1</li> <li>• APS 6</li> </ul>
114	Request information or documents relating to the purpose of assessment contact	Subsection 67(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
115	Prepare an assessment contact report.	Subsection 68(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
116	Give a copy of the assessment contact report prepared after an assessment contact to the provider	Subsection 68(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
117	Prepare a performance report, give a copy of the report to the provider and	Section 68A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	publish the report on the Commission's website		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
<b>Review audits of accredited services</b>			
118	Arrange for a review audit of an accredited service to be conducted	Section 70	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
119	Appoint two or more quality assessors to form an assessment team to conduct a review audit	Section 71	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
120	Give to an approved provider of an accredited service a poster to inform consumers and nominated representatives about the audit	Section 72	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
121	Give directions to the assessment team for a review audit of an accredited service	Paragraph 73(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
122	Give a copy of a review audit report to an approved provider after reviewing it	Subsection 76(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
123	Prepare a performance report after receiving a review audit report and give a copy of the report to the provider of the service	Section 76A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
124	<p>After giving a performance report, decide whether to revoke the accreditation of the service.</p> <p>If revoking, decide the date the revocation is to take effect.</p> <p>If not revoking, decide whether to vary the</p>	Subsections 77(1), 77(3), 77(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	service's period of accreditation.		
125	If revoking, give to the approved provider of the service a written notice	Section 78	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
126	Give notice of a decision not to revoke accreditation of accredited service to the approved provider of the service	Subsection 79(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
127	Provide the approved provider of the service a new certificate of accreditation for the service that states the varied period of accreditation	Subsection 79(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS4-6</li> </ul>
128	Publish, at the appropriate time, decisions relating to accreditation and performance reports	Section 80	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Monitoring of Aboriginal and Torres Strait Islander services</b>			
129	Monitor an Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines.	Section 86	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Registration of quality assessors</b>			
130	Approve the form of the application for registration as a quality assessor, specify any information or documents to be included and specify a fee	Paragraphs 89(2)(b), 89(2)(d), 89(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
131	Register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(1), 90(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

132	Refuse to register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(3), 90(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
133	Approve the form of the application to be re-registered as a quality assessor, specify any other information or documents to be included in the application and specify fee	Paragraphs 91(2)(b), 91(2)(e), 91(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
134	Determine whether to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(1), 92(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
135	Refuse to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(3), 92(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
136	Decide to cancel a quality assessor's registration, and give written notice of the cancellation and reasons for the cancellation	Section 94	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reportable incidents</b>			
137	Require specified information about reportable incidents of an approved provider	Section 95C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
138	Decide certain reportable incidents not required to be notified by an approved provider	Section 95D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

139	Require final report on reportable incident of an approved provider	Subsections 95E(1) and (2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
140	Actions in dealing with reportable incidents of an approved provider – if an final report is required under subsection 95E(1), take any action in response to the report, as appropriate	Subsection 95E(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
141	Approve the form for the purposes of Division 4 of Part 4B of the <i>Quality of Care Principles 2014</i>	Section 95F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
142	Actions in dealing with reportable incidents of an approved provider – referral to police or body or person with responsibility	Paragraphs 95G(1)(a), 95G(1)(aa)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
143	Actions in dealing with reportable incidents of an approved provider	Paragraphs 95G(1)(b), 95G(1)(c), 95G(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
144	Actions in dealing with reportable incidents – require an approved provider to engage an appropriately qualified and independent expert to undertake and investigation and provide a report	Paragraph 95G(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
145	Actions in dealing with reportable incidents of an approved provider – carry out an inquiry in relation to the incident in accordance with section 95H	Paragraph 95G(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>



146	Actions in dealing with reportable incidents of an approved provider – if an incident is investigated under paragraph 95G(1)(c) or 95G(1)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95G(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
147	Conduct an inquiry in relation to reportable incidents of an approved provider	Section 95H (referred to in paragraph 95G(1)(e))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
148			<ul style="list-style-type: none"> <li>•</li> </ul>
149	Require specified information about reportable incidents of a service provider	Section 95L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
150	Require final report on reportable incident of a service provider	Paragraph 95M(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
151	Actions in dealing with reportable incidents of a service provider – referral to police or body or person with responsibility	Paragraphs 95(M)(2)(a), 95(M)(2)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
152	Actions in dealing with reportable incidents of a service provider	Paragraphs 95M(2)(c), 95(M)(2)(d), 95M(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
153	Actions in dealing with reportable incidents of a service provider – if an incident is investigated under paragraph 95M(2)(d), take any	Subsection 95M(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	action to deal with the outcome of the investigation, as appropriate		
154	Actions in dealing with reportable incidents of a service provider – if a final report is required and given under paragraph 95M(2)(e), take any action in response to the report, as appropriate	Subsection 95M(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reconsideration and review of decisions</b>			
155	Reconsider a complaints reviewable Commissioner decision (note restrictions on delegate selection in subsection 100(1))	Section 100  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 100(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
156	Reconsider a regulatory reviewable Commissioner decision (note restrictions on delegate selection in subsection 101(1))	Section 101  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 101(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
157	Reconsideration of a regulatory reviewable decision on own initiative (note restrictions on delegate selection in subsection 102(1))	Section 102  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 102(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

158	Publish reconsideration decisions and any site audit report or review audit report considered in making the decision on the Commission's website, publish notices stating that a reconsideration decision is subject to review by the Administrative Appeals Tribunal, and publish decisions of the Tribunal	Section 104	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Information sharing and confidentiality</b>			
159	Provide in writing information about the failure by an Aboriginal and Torres Strait Islander service to comply with the Quality Review Guidelines to the Secretary	Section 108	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
160	Provide in writing information about the failure by a home support service to comply with the Aged Care Quality Standards to the Secretary	Section 109	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
161	Disclose protected information based on belief, on reasonable grounds, that not disclosing would place an aged care consumer's safety, health or well-being is at risk	Section 111	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b><i>Regulatory Powers (Standard Provisions) Act 2014</i></b>			
162	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 2 are triggered by section 74B of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 35(1), 35(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>

163	<p>Must take reasonable steps to return seized things under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 66	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
164	<p>Apply to issuing officer for an order permitting the retention of a thing seized under Part 3</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 67	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
165	<p>Dispose of a thing seized under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 68	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
166	<p>Issue an identity card to an authorised person</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Subsections 76(1), 76(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
167	<p>Issue an infringement notice as an infringement officer</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 103	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
168	Relevant chief executive may extend the period of	Section 105	<ul style="list-style-type: none"> <li>• SES Band 2</li> </ul>

	time to pay the amount in an infringement notice  <u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i>		<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
169	Relevant chief executive may withdraw of an infringement notice  <u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 106	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
170	Accept an enforceable undertaking as the authorised person  <u>Note:</u> the powers in Part 6 are triggered by section 74EC of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 114	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

## SCHEDULE 2

	Column 1	Column 2
<i>Item</i>	<i>Power or function</i>	<i>Delegate</i>
1	Powers and functions under Part 7B of the <i>Aged Care Quality and Safety Commission Act 2018</i> as they relate to the enforcement of an aged care responsibility referred to under paragraph 63-1(1)(a) or (h) of the <i>Aged Care Act 1997</i>	SES Band 1 or EL 2 officers in the branch responsible for Aged Care Funding Instrument (ACFI) compliance in the Department of Health.




## Aged Care Quality and Safety Commission (Commissioner) Delegation (No.9) 2024

I, Janet Anderson, Commissioner of the Aged Care Quality and Safety Commission, under subsections 76(1) and 76(1A) of the *Aged Care Quality and Safety Commission Act 2018*:

1. REVOKE all previous instruments of delegation made under those subsections;
2. DELEGATE to each person from time to time holding, or performing the duties of, a position at a classification level or described by a position title or other description in the Aged Care Quality and Safety Commission mentioned in Column 3 of an item in Schedule 1, my powers or functions under the provisions mentioned in Column 2 of the item;<sup>1</sup> and
3. DELEGATE to each person from time to time holding, or performing the duties of, a position in the Department of Health mentioned in Column 2 of an item in Schedule 2, my powers or functions under the provisions mentioned in Column 1 of the item.

Dated this Thursday                      day of    11 July                      2024.

DocuSigned by:  
  
 ADA89860FB5A432...  
 Janet Anderson  
 Commissioner

<sup>1</sup> NOTE: the description of the power or function in Column 1 of an item in the Schedule is for information purposes only. The correct reference for identifying a power or function in an item is the provision, or provisions, mentioned in Column 2 of the item.

## SCHEDULE 1

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b><i>Aged Care Act 1997</i></b>		
1	Approve form of notification for change of circumstances materially affecting approved provider's suitability.	Subsection 9-1(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
2	Approve form of notification of certain events relating to key personnel of an approved provider and specify information to accompany application	Paragraphs 9-2A(2)(b), 9-2A(2)(c), 9-2A(2)(d), 9-2A(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
3	Request an approved provider to give information relevant to the approved provider's suitability to be a provider of aged care.	Subsection 9-2(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
4	Request an approved provider to give information relevant to the suitability of an individual who is one of its key personnel, to be involved in the provision of aged care.	Subsection 9-2(1A)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
5	Request a current or former provider to give information relating to refundable deposits, accommodation bonds, entry contributions etc.	Subsection 9-3A(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
6	Request a provider to give information about ability to refund balances	Subsections 9-3B(2), 9-3B(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
7	Determine whether an individual who is one of	Section 10A-2	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>



	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	the key personnel of an approved provider, is suitable to be involved in the provision of aged care		<ul style="list-style-type: none"> <li>• EL2</li> <li>• EL1</li> </ul>
8	Request to give information or documents relating to the use of refundable deposit or accommodation bond to make a loan	Subsections 52N-3(1), 52N-3(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
9	Determine certain responsibilities relating to the governing body of an approved provider do not apply	Section 63-1E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
10	Approve form for requesting a determination that certain governance responsibilities do not apply, specify documents and information to accompany application and specify fee for application	Paragraphs 63-1E(2)(b) 63-1E(2)(c) 63-1E(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
11	Decide to vary or revoke a determination made under subsection 63-1E(3) on the Commissioner's own initiative regarding governance responsibilities exemptions	Section 63-1F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b><i>Aged Care Quality and Safety Commission Act 2018</i></b>			
<b>Information sharing</b>			
12	Giving information to the Secretary in certain circumstances (also see Division 2 of Part 8 of the Rules)	Subsections 56(1), 56(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
<b>Making information publicly available</b>			

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
13	Making information about an aged care service publicly available	Section 59	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
14	Making information about a Commonwealth funded aged care service publicly available	Section 59A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Protected information</b>			
15	Disclosure of protected information	Section 61	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Application for approval as provider of aged care</b>			
16	Approve form of application for approval as provider of aged care, specify documents and information to accompany application and specify fee for application	Paragraphs 63B(2)(b), 63B(2)(c), 63B(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
17	Request a person who has applied for approval to give further information within a specified period and extend the period within which person is to provide information	Section 63C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
18	Decision as to whether to approve a person as a provider of aged care	Section 63D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
19	Notify a person who has applied for approval of	Section 63E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	decision relating to approval		<ul style="list-style-type: none"> <li>• EL 2</li> </ul>
<b>Cessation and revocation of approval</b>			
20	Decide whether to revoke approval when requested by provider, notify provider of decision and give Secretary a copy of notice	Section 63H	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
21	Approve form of request for revocation by approved provider, specify information or documents to accompany request and specify fee	Paragraphs 63H(2)(b), 63H(2)(c), 63H(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
22	Decide to revoke approval if satisfied of certain matters (no application by provider required)	Section 63J	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
23	Notify provider that revocation is being considered	Section 63K	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
24	Notify provider that their approval has been revoked or limited and notify of the revocation day	Section 63L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Imposition of sanctions by the Commissioner</b>			
25	Decide to impose sanctions and notify the provider of the decision	Section 63N	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
26	Specify a day revocation must take effect (in certain circumstances)	Section 63P	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
27	Specify a day when revocation or suspension of allocation of places is to take effect	Section 63Q	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notices that must, or may be given, before sanctions are imposed</b>			
28	Notify provider of intention to impose sanctions on the provider	Section 63S	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
29	Require a provider to give Commissioner an undertaking about remedying non-compliance	Section 63T	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
30	Approve form of undertaking	Paragraph 63T(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
31	Require a provider to agree to certain actions if revocation of approval is being considered	Section 63U	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
32	Approve form of application to lift sanction, specify documents or information to accompany application and specify fee	Paragraphs 63V(2)(b), 63V(2)(c), 63V(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
33	Request provider to give further information about an application under subsection 63V(1) and extend period for giving information	Section 63W	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
34	Decide whether to lift sanction imposed on provider	Section 63X	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
35	Notify provider of a decision on whether to lift sanction imposed on provider	Section 63Y	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Powers of authorised officers in relation to premises</b>			
36	Consider it necessary for an authorised officer to enforce powers under Division 2, Part 8 for the purpose of making a decision on an application for approval	Paragraph 64A(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
37	Consider it necessary for an authorised officer to exercise powers under Division 2, Part 8 for the purpose of resolving a complaint or dealing with information about provider responsibilities	Paragraph 65(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Powers of regulatory officials in relation to premises</b>			
38	Consider it necessary for a regulatory official to enter any premises and exercise search powers for regulatory purposes	Subsection 68(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Identity cards</b>			
39	Identity card to be issued to a person who is a quality assessor	Subsections 74(1), 74(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b>Compliance notices</b>		
40	Issue a written compliance notice (or vary or revoke the compliance notice)	Section 74EE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Notice to attend to answer questions etc.</b>		
41	Require a person to attend before an authorised officer to answer questions or give information or documents	Section 74F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
42	Require a person to attend before an authorised officer to answer questions or give information or documents relevant to compliance with the Code of Conduct of Aged Care	Section 74FA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
43	Issue a notice requiring information or documents (and extend the time of the notice)	Section 74GA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Banning orders</b>		
44	Make a banning order prohibiting or restricting an individual who is or was an aged care worker, or who is or was a governing person, of an approved provider	Subsections 74GB(1), 74GB(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
45	Make a banning order prohibiting or restricting an individual who has not previously been an aged care worker, or a governing person, of an approved provider	Subsections 74GB(3), 74GB(4), 74GB(5), 74GB(6)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
46	Give an individual a notice of banning order and specify applications of the banning order	Section 74GC	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
47	Notify individual that a banning order is being considered	Section 74GE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
48	Decide, on own initiative, to vary or revoke a banning order made against an individual	Section 74GF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
49	Approve form of application for variation or revocation of a banning order, and require other documents or information to be accompanied with an application	Paragraphs 74GG(2)(b), 74GG(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
50	Decide, on an individual's application, whether to vary or revoke a banning order made against the individual	Subsection 74GG(3), 74GG(4), 74GG(5), 74GG(6), 74GG(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
51	Approve form of application for variation or revocation of a condition to which a banning order is subject, and require other documents or information to be accompanied with an application	Paragraphs 74GH(2)(b), 74GH(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
52	Decide, on an individual's application, whether to vary or revoke a condition to which a banning order is subject	Subsection 74GH(3), 74GH(4), 74GH(5), 74GH(6), 74GH(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
53	Establish and maintain a register of banning orders	Section 74GI	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
			<ul style="list-style-type: none"> <li>• EL1</li> </ul>
	<b>Reconsideration and review of decisions</b>		
54	Reconsider reviewable decision on request and give notice of decision	Section 74L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1 (item 1 in the table in section 74J only)</li> </ul>
55	Reconsider reviewable decision on own initiative	Section 74M	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Miscellaneous</b>		
56	Appoint an authorised officer	Subsections 75A(1), 75A(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
57	Give a direction to authorised officers	Subsection 75A(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
	<b><i>Aged Care Quality and Safety Commission Rules 2018</i></b>		
	<b>Dealing with complaints and provider responsibility information</b>		
58	Decide to take no further action in relation to the issue under section 14	Paragraph 13(1)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
59	Take appropriate action to resolve the issue or decide to undertake a resolution process in relation to the issue under section 15	Paragraphs 13(1)(b), 13(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
60	Decide to take no further action in relation	Section 14	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>



	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	to an issue raised in a complaint and give relevant written notices of decision		<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
61	Decide to undertake resolution process and perform actions arising from that decision	Section 15	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
62	Give notice to provider of decision to undertake a resolution process	Section 16	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
63	Decide to end a resolution process and give notice	Section 17	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
64	Give information about resolution process to person or body with sufficient interest	Section 18	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>

	<b>Directions</b>		
65	Give directions to relevant providers	Section 19	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
66	Give notice of intention to give directions to relevant providers	Section 20	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
67	Give a notice of failure to comply with direction	Subsection 21(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Taking action in relation to Code of Conduct functions</b>		
68	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care	Paragraphs 23BD(1)(a), 23BD(1)(b), 23BD(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
69	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – carry out an investigation	Paragraph 23BD(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
70	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – refer information about the compliance to another person or body	Paragraph 23BD(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
71	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – take any other action that the Commissioner considers reasonable in the circumstances	Paragraph 23BD(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
72	Require action by approved providers – require provider to carry out an internal investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

73	Require action by approved providers – require provider to engage an appropriately qualified and independent expert to carry out an investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
74	Require action by approved providers – require provider to undertake specified action in relation to the compliance	Paragraph 23BD(3)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
75	Require an individual to undertake specified action in relation to the compliance	Subsection 23BD(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
76	Refer information about the compliance to the approved provider and require the provider to take appropriate action in relation to the compliance	Subsection 23BD(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
77	Take any other action to deal with the outcome of an investigation, as appropriate	Section 23BE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Doing other things in relation to Code of Conduct functions</b>			
78	Give written notice setting out the outcomes of an investigation carried out by the Commissioner that is closed	Section 23BH	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Register of banning orders</b>			
79	Consider that further information is necessary to identify an individual and include that information in the register of banning order	Section 23CB	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
80	Consider that information included in the register of banning orders in relation to an individual is inaccurate, out-of-date, incomplete, irrelevant or	Section 23CF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>

	misleading, and correct the information		
	<b>Publication of register of banning orders</b>		
81	Consider that publication of a part of the register of banning orders would be contrary to public interest or the interests of one or more care recipients	Subsection 23CG(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
	<b>Accreditation of residential aged care services</b>		
82	Approve form of application and require other information or documents to be accompanied with an application	Paragraphs 28(1)(b), 28(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
83	Specify a fee for an application for accreditation or re-accreditation	Paragraph 28(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
84	Decide whether to accredit a commencing service or re-accredit a recommencing service and decide whether there are areas of improvement (if the service is accredited or re-accredited)	Section 29	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
85	Give notice of a decision to accredit a commencing service or re-accredit a recommencing service	Subsection 30(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
86	Give an approved provider of a commencing service that obtains accreditation a certificate of accreditation for the service	Subsection 30(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
87	Give notice of a decision not to accredit a commencing service or re-accredit a recommencing service	Section 31	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service		
88	Appoint one or more quality assessors to form an assessment team to conduct a site audit of a service that has applied for re-accreditation and give the assessment team any information or documents that accompanied the application for re-accreditation	Section 32	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
89	Give to an approved provider who has applied for re-accreditation the form of words and poster to be used to tell consumers about site audit	Section 33	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
90	Give directions to an assessment team conducting a site audit	Paragraph 36(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
91	Give relevant information to an assessment team [this is in addition to any information given under paragraph 32(1)(b)]	Paragraph 36(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
92	Give a copy of the site audit report to the approved provider of the residential service	Subsection 40(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
93	Prepare a performance report about a residential	Section 40A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	service and give a copy to the provider of the service		<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> </ul>
94	Decide whether to re-accredit a residential service	Subsection 41(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
95	Decide the further period for which the service is accredited	Subsection 41(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
96	Give notice of a decision to re-accredit a commencing service and certificate of accreditation	Section 42	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
97	Give notice of decision not to re-accredit a service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 43	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
98	Decide to revoke the accreditation of an accredited service that the Commissioner decided not to re-accredit and decide the day on which the revocation is to take effect	Subsections 44(1), 44(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
99	Provide written notice to an approved provider of a residential service that was not re-accredited and whose accreditation has been revoked	Section 45	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
100	Give to an approved provider a reminder notice about the end of	Section 46	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	accreditation and form of words/ a poster to inform care recipients and representatives of the site audit to be conducted should the provider wish the service to be re-accredited		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
101	Publish decisions relating to accreditation	Section 48	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Quality reviews of services</b>			
102	Determine that it is appropriate to conduct a quality review of two or more services of the same provider at the same time	Subsection 52(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
103	Appoint quality assessors to form an assessment team and give them any relevant information or documents	Section 53A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
104	Give the home service provider of the home service a written notice of the quality audit and the day or days on which it will be conducted at the premises	Section 53B	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
105	Give directions to the assessment team for a quality audit	Subsection 54(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
106	Give a copy of the quality audit report to the home service provider	Subsection 56(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
107	Prepare a performance report about the quality audit of a home service and give that report to the provider of the service	Section 57	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and publish the report on the Commission's website		
108	Conduct quality review of Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines	Section 58	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b>Plans for continuous improvement</b>			
109	Request that approved providers provide a copy of the plan for continuous improvement for the service	Section 63	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
110	Direct the provider to revise plan for continuous improvement and give the Commissioner a copy of the revised plan.	Section 63A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Assessment contacts by regulatory officials</b>			
111	Make an assessment contact with the approved provider of an accredited service or a previously accredited service, or the home service provider of a home service in accordance with notified arrangements or at any other time (with or without notice)	Subsection 64(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
112	Give written notice of the arrangements for assessment contacts with the provider	Section 65	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
113	Before a visit to the premises of the service is made, give the:	Subsections 66(2), 66(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>



	<ul style="list-style-type: none"> <li>• Approved provider of an accredited service or a previously accredited service a poster to inform the consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> <li>• Home service provider of a home service written notice of the form of words to be used to tell the aged care consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> </ul>		<ul style="list-style-type: none"> <li>• EL 1</li> <li>• APS 6</li> </ul>
114	Request information or documents relating to the purpose of assessment contact	Subsection 67(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
115	Prepare an assessment contact report.	Subsection 68(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
116	Give a copy of the assessment contact report prepared after an assessment contact to the provider	Subsection 68(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
117	Prepare a performance report, give a copy of the report to the provider and	Section 68A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	publish the report on the Commission's website		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
<b>Review audits of accredited services</b>			
118	Arrange for a review audit of an accredited service to be conducted	Section 70	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
119	Appoint two or more quality assessors to form an assessment team to conduct a review audit	Section 71	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
120	Give to an approved provider of an accredited service a poster to inform consumers and nominated representatives about the audit	Section 72	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
121	Give directions to the assessment team for a review audit of an accredited service	Paragraph 73(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
122	Give a copy of a review audit report to an approved provider after reviewing it	Subsection 76(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
123	Prepare a performance report after receiving a review audit report and give a copy of the report to the provider of the service	Section 76A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
124	<p>After giving a performance report, decide whether to revoke the accreditation of the service.</p> <p>If revoking, decide the date the revocation is to take effect.</p> <p>If not revoking, decide whether to vary the</p>	Subsections 77(1), 77(3), 77(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	service's period of accreditation.		
125	If revoking, give to the approved provider of the service a written notice	Section 78	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
126	Give notice of a decision not to revoke accreditation of accredited service to the approved provider of the service	Subsection 79(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
127	Provide the approved provider of the service a new certificate of accreditation for the service that states the varied period of accreditation	Subsection 79(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS4-6</li> </ul>
128	Publish, at the appropriate time, decisions relating to accreditation and performance reports	Section 80	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Monitoring of Aboriginal and Torres Strait Islander services</b>			
129	Monitor an Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines.	Section 86	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Registration of quality assessors</b>			
130	Approve the form of the application for registration as a quality assessor, specify any information or documents to be included and specify a fee	Paragraphs 89(2)(b), 89(2)(d), 89(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
131	Register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(1), 90(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

132	Refuse to register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(3), 90(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
133	Approve the form of the application to be re-registered as a quality assessor, specify any other information or documents to be included in the application and specify fee	Paragraphs 91(2)(b), 91(2)(e), 91(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
134	Determine whether to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(1), 92(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
135	Refuse to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(3), 92(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
136	Decide to cancel a quality assessor's registration, and give written notice of the cancellation and reasons for the cancellation	Section 94	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reportable incidents</b>			
137	Require specified information about reportable incidents of an approved provider	Section 95C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
138	Decide certain reportable incidents not required to be notified by an approved provider	Section 95D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

139	Require final report on reportable incident of an approved provider	Subsections 95E(1) and (2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
140	Actions in dealing with reportable incidents of an approved provider – if an final report is required under subsection 95E(1), take any action in response to the report, as appropriate	Subsection 95E(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
141	Approve the form for the purposes of Division 4 of Part 4B of the <i>Quality of Care Principles 2014</i>	Section 95F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
142	Actions in dealing with reportable incidents of an approved provider – referral to police or body or person with responsibility	Paragraphs 95G(1)(a), 95G(1)(aa)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
143	Actions in dealing with reportable incidents of an approved provider	Paragraphs 95G(1)(b), 95G(1)(c), 95G(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
144	Actions in dealing with reportable incidents – require an approved provider to engage an appropriately qualified and independent expert to undertake and investigation and provide a report	Paragraph 95G(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
145	Actions in dealing with reportable incidents of an approved provider – carry out an inquiry in relation to the incident in accordance with section 95H	Paragraph 95G(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

146	Actions in dealing with reportable incidents of an approved provider – if an incident is investigated under paragraph 95G(1)(c) or 95G(1)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95G(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
147	Conduct an inquiry in relation to reportable incidents of an approved provider	Section 95H (referred to in paragraph 95G(1)(e))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
148			<ul style="list-style-type: none"> <li>•</li> </ul>
149	Require specified information about reportable incidents of a service provider	Section 95L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
150	Require final report on reportable incident of a service provider	Paragraph 95M(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
151	Actions in dealing with reportable incidents of a service provider – referral to police or body or person with responsibility	Paragraphs 95(M)(2)(a), 95(M)(2)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
152	Actions in dealing with reportable incidents of a service provider	Paragraphs 95M(2)(c), 95(M)(2)(d), 95M(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
153	Actions in dealing with reportable incidents of a service provider – if an incident is investigated under paragraph 95M(2)(d), take any	Subsection 95M(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	action to deal with the outcome of the investigation, as appropriate		
154	Actions in dealing with reportable incidents of a service provider – if a final report is required and given under paragraph 95M(2)(e), take any action in response to the report, as appropriate	Subsection 95M(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reconsideration and review of decisions</b>			
155	Reconsider a complaints reviewable Commissioner decision (note restrictions on delegate selection in subsection 100(1))	Section 100  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 100(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
156	Reconsider a regulatory reviewable Commissioner decision (note restrictions on delegate selection in subsection 101(1))	Section 101  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 101(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
157	Reconsideration of a regulatory reviewable decision on own initiative (note restrictions on delegate selection in subsection 102(1))	Section 102  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 102(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

158	Publish reconsideration decisions and any site audit report or review audit report considered in making the decision on the Commission's website, publish notices stating that a reconsideration decision is subject to review by the Administrative Appeals Tribunal, and publish decisions of the Tribunal	Section 104	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Information sharing and confidentiality</b>			
159	Provide in writing information about the failure by an Aboriginal and Torres Strait Islander service to comply with the Quality Review Guidelines to the Secretary	Section 108	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
160	Provide in writing information about the failure by a home support service to comply with the Aged Care Quality Standards to the Secretary	Section 109	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
161	Disclose protected information based on belief, on reasonable grounds, that not disclosing would place an aged care consumer's safety, health or well-being is at risk	Section 111	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b><i>Regulatory Powers (Standard Provisions) Act 2014</i></b>			
162	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 2 are triggered by section 74B of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 35(1), 35(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>



163	<p>Must take reasonable steps to return seized things under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 66	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
164	<p>Apply to issuing officer for an order permitting the retention of a thing seized under Part 3</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 67	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
165	<p>Dispose of a thing seized under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 68	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
166	<p>Issue an identity card to an authorised person</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Subsections 76(1), 76(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
167	<p>Issue an infringement notice as an infringement officer</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 103	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
168	Relevant chief executive may extend the period of	Section 105	<ul style="list-style-type: none"> <li>• SES Band 2</li> </ul>

	time to pay the amount in an infringement notice  <u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i>		<ul style="list-style-type: none"> <li>• SES Band 1</li> </ul>
169	Relevant chief executive may withdraw of an infringement notice  <u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 106	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
170	Accept an enforceable undertaking as the authorised person  <u>Note:</u> the powers in Part 6 are triggered by section 74EC of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Section 114	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

## SCHEDULE 2

	Column 1	Column 2
<i>Item</i>	<i>Power or function</i>	<i>Delegate</i>
1	Powers and functions under Part 7B of the <i>Aged Care Quality and Safety Commission Act 2018</i> as they relate to the enforcement of an aged care responsibility referred to under paragraph 63-1(1)(a) or (h) of the <i>Aged Care Act 1997</i>	SES Band 1 or EL 2 officers in the branch responsible for Aged Care Funding Instrument (ACFI) compliance in the Department of Health.



# Aged Care Quality and Safety Commission (Commissioner) Delegation (No.10) 2025

I, Elizabeth Hefren-Webb, Commissioner of the Aged Care Quality and Safety Commission, under subsections 76(1) and 76(1A) of the *Aged Care Quality and Safety Commission Act 2018*:

- 1. REVOKE all previous instruments of delegation made under those subsections;
- 2. DELEGATE to each person from time to time holding, or performing the duties of, a position at a classification level or described by a position title or other description in the Aged Care Quality and Safety Commission mentioned in Column 3 of an item in Schedule 1, my powers or functions under the provisions mentioned in Column 2 of the item;<sup>1</sup> and
- 3. DELEGATE to each person from time to time holding, or performing the duties of, a position in the Department of Health mentioned in Column 2 of an item in Schedule 2, my powers or functions under the provisions mentioned in Column 1 of the item.

Dated this 21 day of January 2025.

Elizabeth Hefren-Webb  
Commissioner

<sup>1</sup> NOTE: the description of the power or function in Column 1 of an item in the Schedule is for information purposes only. The correct reference for identifying a power or function in an item is the provision, or provisions, mentioned in Column 2 of the item.

## SCHEDULE 1

	Column 1	Column 2	Column 3
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b><i>Aged Care Act 1997</i></b>		
1	Approve form of notification for change of circumstances materially affecting approved provider's suitability.	Subsection 9-1(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
2	Approve form of notification of certain events relating to key personnel of an approved provider and specify information to accompany application	Paragraphs 9-2A(2)(b), 9-2A(2)(c), 9-2A(2)(d), 9-2A(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
3	Request an approved provider to give information relevant to the approved provider's suitability to be a provider of aged care.	Subsection 9-2(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
4	Request an approved provider to give information relevant to the suitability of an individual who is one of its key personnel, to be involved in the provision of aged care.	Subsection 9-2(1A)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
5	Request a current or former provider to give information relating to refundable deposits, accommodation bonds, entry contributions etc.	Subsection 9-3A(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
6	Request a provider to give information about ability to refund balances	Subsections 9-3B(2), 9-3B(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
7	Determine whether an individual who is one of	Section 10A-2	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Description of power or function</b>	<b>Power or function</b>	<b>Delegate</b>
	the key personnel of an approved provider, is suitable to be involved in the provision of aged care		<ul style="list-style-type: none"> <li>• EL2</li> <li>• EL1</li> </ul>
8	Request to give information or documents relating to the use of refundable deposit or accommodation bond to make a loan	Subsections 52N-3(1), 52N-3(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
9	Determine certain responsibilities relating to the governing body of an approved provider do not apply	Section 63-1E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
10	Approve form for requesting a determination that certain governance responsibilities do not apply, specify documents and information to accompany application and specify fee for application	Paragraphs 63-1E(2)(b) 63-1E(2)(c) 63-1E(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
11	Decide to vary or revoke a determination made under subsection 63-1E(3) on the Commissioner's own initiative regarding governance responsibilities exemptions	Section 63-1F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b><i>Aged Care Quality and Safety Commission Act 2018</i></b>			
<b>Information sharing</b>			
12	Giving information to the Secretary in certain circumstances (also see Division 2 of Part 8 of the Rules)	Subsections 56(1), 56(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
<b>Making information publicly available</b>			

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
13	Making information about an aged care service publicly available	Section 59	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
14	Making information about a Commonwealth funded aged care service publicly available	Section 59A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Protected information</b>			
15	Disclosure of protected information	Section 61	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Application for approval as provider of aged care</b>			
16	Approve form of application for approval as provider of aged care, specify documents and information to accompany application and specify fee for application	Paragraphs 63B(2)(b), 63B(2)(c), 63B(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
17	Request a person who has applied for approval to give further information within a specified period and extend the period within which person is to provide information	Section 63C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
18	Decision as to whether to approve a person as a provider of aged care	Section 63D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
19	Notify a person who has applied for approval of	Section 63E	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	decision relating to approval		<ul style="list-style-type: none"> <li>• EL 2</li> </ul>
<b>Cessation and revocation of approval</b>			
20	Decide whether to revoke approval when requested by provider, notify provider of decision and give Secretary a copy of notice	Section 63H	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
21	Approve form of request for revocation by approved provider, specify information or documents to accompany request and specify fee	Paragraphs 63H(2)(b), 63H(2)(c), 63H(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
22	Decide to revoke approval if satisfied of certain matters (no application by provider required)	Section 63J	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
23	Notify provider that revocation is being considered	Section 63K	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
24	Notify provider that their approval has been revoked or limited and notify of the revocation day	Section 63L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Imposition of sanctions by the Commissioner</b>			
25	Decide to impose sanctions and notify the provider of the decision	Section 63N	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
26	Specify a day revocation must take effect (in certain circumstances)	Section 63P	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>



	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
27	Specify a day when revocation or suspension of allocation of places is to take effect	Section 63Q	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Notices that must, or may be given, before sanctions are imposed</b>			
28	Notify provider of intention to impose sanctions on the provider	Section 63S	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
29	Require a provider to give Commissioner an undertaking about remedying non-compliance	Section 63T	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL1</li> </ul>
30	Approve form of undertaking	Paragraph 63T(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
31	Require a provider to agree to certain actions if revocation of approval is being considered	Section 63U	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
32	Approve form of application to lift sanction, specify documents or information to accompany application and specify fee	Paragraphs 63V(2)(b), 63V(2)(c), 63V(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
33	Request provider to give further information about an application under subsection 63V(1) and extend period for giving information	Section 63W	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
34	Decide whether to lift sanction imposed on provider	Section 63X	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
35	Notify provider of a decision on whether to lift sanction imposed on provider	Section 63Y	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Powers of authorised officers in relation to premises</b>			
36	Consider it necessary for an authorised officer to enforce powers under Division 2, Part 8 for the purpose of making a decision on an application for approval	Paragraph 64A(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
37	Consider it necessary for an authorised officer to exercise powers under Division 2, Part 8 for the purpose of resolving a complaint or dealing with information about provider responsibilities	Paragraph 65(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Powers of regulatory officials in relation to premises</b>			
38	Consider it necessary for a regulatory official to enter any premises and exercise search powers for regulatory purposes	Subsection 68(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Identity cards</b>			
39	Identity card to be issued to a person who is a quality assessor	Subsections 74(1), 74(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	<b>Compliance notices</b>		
40	Issue a written compliance notice (or vary or revoke the compliance notice)	Section 74EE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Notice to attend to answer questions etc.</b>		
41	Require a person to attend before an authorised officer to answer questions or give information or documents	Section 74F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
42	Require a person to attend before an authorised officer to answer questions or give information or documents relevant to compliance with the Code of Conduct of Aged Care	Section 74FA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
43	Issue a notice requiring information or documents (and extend the time of the notice)	Section 74GA	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
	<b>Banning orders</b>		
44	Make a banning order prohibiting or restricting an individual who is or was an aged care worker, or who is or was a governing person, of an approved provider	Subsections 74GB(1), 74GB(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
45	Make a banning order prohibiting or restricting an individual who has not previously been an aged care worker, or a governing person, of an approved provider	Subsections 74GB(3), 74GB(4), 74GB(5), 74GB(6)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Description of power or function</b>	<b>Power or function</b>	<b>Delegate</b>
46	Give an individual a notice of banning order and specify applications of the banning order	Section 74GC	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
47	Notify individual that a banning order is being considered	Section 74GE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
48	Decide, on own initiative, to vary or revoke a banning order made against an individual	Section 74GF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
49	Approve form of application for variation or revocation of a banning order, and require other documents or information to be accompanied with an application	Paragraphs 74GG(2)(b), 74GG(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
50	Decide, on an individual's application, whether to vary or revoke a banning order made against the individual	Subsection 74GG(3), 74GG(4), 74GG(5), 74GG(6), 74GG(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
51	Approve form of application for variation or revocation of a condition to which a banning order is subject, and require other documents or information to be accompanied with an application	Paragraphs 74GH(2)(b), 74GH(2)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
52	Decide, on an individual's application, whether to vary or revoke a condition to which a banning order is subject	Subsection 74GH(3), 74GH(4), 74GH(5), 74GH(6), 74GH(7)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
53	Establish and maintain a register of banning orders	Section 74GI	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
			<ul style="list-style-type: none"> <li>• EL1</li> </ul>
<b>Reconsideration and review of decisions</b>			
54	Reconsider reviewable decision on request and give notice of decision	Section 74L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1 (item 1 in the table in section 74J only)</li> </ul>
55	Reconsider reviewable decision on own initiative	Section 74M	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
<b>Miscellaneous</b>			
56	Appoint an authorised officer	Subsections 75A(1), 75A(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
57	Give a direction to authorised officers	Subsection 75A(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
<b><i>Aged Care Quality and Safety Commission Rules 2018</i></b>			
<b>Dealing with complaints and provider responsibility information</b>			
58	Decide to take no further action in relation to the issue under section 14	Paragraph 13(1)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
59	Take appropriate action to resolve the issue or decide to undertake a resolution process in relation to the issue under section 15	Paragraphs 13(1)(b), 13(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
60	Decide to take no further action in relation	Section 14	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<i>Item</i>	<i>Description of power or function</i>	<i>Power or function</i>	<i>Delegate</i>
	to an issue raised in a complaint and give relevant written notices of decision		<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
61	Decide to undertake resolution process and perform actions arising from that decision	Section 15	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
62	Give notice to provider of decision to undertake a resolution process	Section 16	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
63	Decide to end a resolution process and give notice	Section 17	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
64	Give information about resolution process to person or body with sufficient interest	Section 18	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>

	<b>Directions</b>		
65	Give directions to relevant providers	Section 19	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
66	Give notice of intention to give directions to relevant providers	Section 20	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
67	Give a notice of failure to comply with direction	Subsection 21(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
	<b>Taking action in relation to Code of Conduct functions</b>		
68	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care	Paragraphs 23BD(1)(a), 23BD(1)(b), 23BD(1)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
69	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – carry out an investigation	Paragraph 23BD(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
70	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – refer information about the compliance to another person or body	Paragraph 23BD(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
71	Actions in dealing with compliance with the provisions of the Code of Conduct of Aged Care – take any other action that the Commissioner considers reasonable in the circumstances	Paragraph 23BD(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
72	Require action by approved providers – require provider to carry out an internal investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(a)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

73	Require action by approved providers – require provider to engage an appropriately qualified and independent expert to carry out an investigation into the compliance and give a written report on the investigation	Paragraph 23BD(3)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
74	Require action by approved providers – require provider to undertake specified action in relation to the compliance	Paragraph 23BD(3)(c)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
75	Require an individual to undertake specified action in relation to the compliance	Subsection 23BD(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
76	Refer information about the compliance to the approved provider and require the provider to take appropriate action in relation to the compliance	Subsection 23BD(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
77	Take any other action to deal with the outcome of an investigation, as appropriate	Section 23BE	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Doing other things in relation to Code of Conduct functions</b>			
78	Give written notice setting out the outcomes of an investigation carried out by the Commissioner that is closed	Section 23BH	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Register of banning orders</b>			
79	Consider that further information is necessary to identify an individual and include that information in the register of banning order	Section 23CB	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
80	Consider that information included in the register of banning orders in relation to an individual is inaccurate, out-of-date, incomplete, irrelevant or	Section 23CF	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> <li>• EL1</li> </ul>



	misleading, and correct the information		
	<b>Publication of register of banning orders</b>		
81	Consider that publication of a part of the register of banning orders would be contrary to public interest or the interests of one or more care recipients	Subsection 23CG(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL2</li> </ul>
	<b>Accreditation of residential aged care services</b>		
82	Approve form of application and require other information or documents to be accompanied with an application	Paragraphs 28(1)(b), 28(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
83	Specify a fee for an application for accreditation or re-accreditation	Paragraph 28(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
84	Decide whether to accredit a commencing service or re-accredit a recommencing service and decide whether there are areas of improvement (if the service is accredited or re-accredited)	Section 29	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
85	Give notice of a decision to accredit a commencing service or re-accredit a recommencing service	Subsection 30(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
86	Give an approved provider of a commencing service that obtains accreditation a certificate of accreditation for the service	Subsection 30(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 4-6</li> </ul>
87	Give notice of a decision not to accredit a commencing service or re-accredit a recommencing service	Section 31	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service		
88	Appoint one or more quality assessors to form an assessment team to conduct a site audit of a service that has applied for re-accreditation and give the assessment team any information or documents that accompanied the application for re-accreditation	Section 32	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
89	Give to an approved provider who has applied for re-accreditation the form of words and poster to be used to tell consumers about site audit	Section 33	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
90	Give directions to an assessment team conducting a site audit	Paragraph 36(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
91	Give relevant information to an assessment team [this is in addition to any information given under paragraph 32(1)(b)]	Paragraph 36(2)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
92	Give a copy of the site audit report to the approved provider of the residential service	Subsection 40(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
93	Prepare a performance report about a residential	Section 40A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>

	service and give a copy to the provider of the service		<ul style="list-style-type: none"> <li>• EL 2</li> <li>• EL 1</li> </ul>
94	Decide whether to re-accredit a residential service	Subsection 41(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
95	Decide the further period for which the service is accredited	Subsection 41(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
96	Give notice of a decision to re-accredit a commencing service and certificate of accreditation	Section 42	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
97	Give notice of decision not to re-accredit a service and a copy of any information given to the Commissioner by the Secretary that was taken into account in making the decision to the approved provider of the service	Section 43	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
98	Decide to revoke the accreditation of an accredited service that the Commissioner decided not to re-accredit and decide the day on which the revocation is to take effect	Subsections 44(1), 44(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
99	Provide written notice to an approved provider of a residential service that was not re-accredited and whose accreditation has been revoked	Section 45	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
100	Give to an approved provider a reminder notice about the end of	Section 46	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	accreditation and form of words/ a poster to inform care recipients and representatives of the site audit to be conducted should the provider wish the service to be re-accredited		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
101	Publish decisions relating to accreditation	Section 48	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Quality reviews of services</b>			
102	Determine that it is appropriate to conduct a quality review of two or more services of the same provider at the same time	Subsection 52(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
103	Appoint quality assessors to form an assessment team and give them any relevant information or documents	Section 53A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>•</li> </ul>
104	Give the home service provider of the home service a written notice of the quality audit and the day or days on which it will be conducted at the premises	Section 53B	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
105	Give directions to the assessment team for a quality audit	Subsection 54(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
106	Give a copy of the quality audit report to the home service provider	Subsection 56(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
107	Prepare a performance report about the quality audit of a home service and give that report to the provider of the service	Section 57	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	and publish the report on the Commission's website		
108	Conduct quality review of Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines	Section 58	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b>Plans for continuous improvement</b>			
109	Request that approved providers provide a copy of the plan for continuous improvement for the service	Section 63	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
110	Direct the provider to revise plan for continuous improvement and give the Commissioner a copy of the revised plan.	Section 63A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Assessment contacts by regulatory officials</b>			
111	Make an assessment contact with the approved provider of an accredited service or a previously accredited service, or the home service provider of a home service in accordance with notified arrangements or at any other time (with or without notice)	Subsection 64(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
112	Give written notice of the arrangements for assessment contacts with the provider	Section 65	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
113	Before a visit to the premises of the service is made, give the:	Subsections 66(2), 66(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	<ul style="list-style-type: none"> <li>• Approved provider of an accredited service or a previously accredited service a poster to inform the consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> <li>• Home service provider of a home service written notice of the form of words to be used to tell the aged care consumers of the service, and the nominated representatives of those consumers, about the assessment contact</li> </ul>		<ul style="list-style-type: none"> <li>• EL 1</li> <li>• APS 6</li> </ul>
114	Request information or documents relating to the purpose of assessment contact	Subsection 67(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
115	Prepare an assessment contact report.	Subsection 68(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
116	Give a copy of the assessment contact report prepared after an assessment contact to the provider	Subsection 68(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
117	Prepare a performance report, give a copy of the report to the provider and	Section 68A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

	publish the report on the Commission's website		<ul style="list-style-type: none"> <li>• EL 1</li> </ul>
<b>Review audits of accredited services</b>			
118	Arrange for a review audit of an accredited service to be conducted	Section 70	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
119	Appoint two or more quality assessors to form an assessment team to conduct a review audit	Section 71	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
120	Give to an approved provider of an accredited service a poster to inform consumers and nominated representatives about the audit	Section 72	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
121	Give directions to the assessment team for a review audit of an accredited service	Paragraph 73(1)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
122	Give a copy of a review audit report to an approved provider after reviewing it	Subsection 76(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
123	Prepare a performance report after receiving a review audit report and give a copy of the report to the provider of the service	Section 76A	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
124	<p>After giving a performance report, decide whether to revoke the accreditation of the service.</p> <p>If revoking, decide the date the revocation is to take effect.</p> <p>If not revoking, decide whether to vary the</p>	Subsections 77(1), 77(3), 77(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	service's period of accreditation.		
125	If revoking, give to the approved provider of the service a written notice	Section 78	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
126	Give notice of a decision not to revoke accreditation of accredited service to the approved provider of the service	Subsection 79(1)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
127	Provide the approved provider of the service a new certificate of accreditation for the service that states the varied period of accreditation	Subsection 79(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS4-6</li> </ul>
128	Publish, at the appropriate time, decisions relating to accreditation and performance reports	Section 80	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Monitoring of Aboriginal and Torres Strait Islander services</b>			
129	Monitor an Aboriginal and Torres Strait Islander services in accordance with the Quality Review Guidelines.	Section 86	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Registration of quality assessors</b>			
130	Approve the form of the application for registration as a quality assessor, specify any information or documents to be included and specify a fee	Paragraphs 89(2)(b), 89(2)(d), 89(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
131	Register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(1), 90(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>



132	Refuse to register an applicant as a quality assessor and give written notice to the applicant of the decision	Subsections 90(3), 90(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
133	Approve the form of the application to be re-registered as a quality assessor, specify any other information or documents to be included in the application and specify fee	Paragraphs 91(2)(b), 91(2)(e), 91(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
134	Determine whether to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(1), 92(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
135	Refuse to register an applicant as a quality assessor for a further period and give written notice of the decision to the applicant	Subsections 92(3), 92(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
136	Decide to cancel a quality assessor's registration, and give written notice of the cancellation and reasons for the cancellation	Section 94	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reportable incidents</b>			
137	Require specified information about reportable incidents of an approved provider	Section 95C	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
138	Decide certain reportable incidents not required to be notified by an approved provider	Section 95D	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

139	Require final report on reportable incident of an approved provider	Subsections 95E(1) and (2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
140	Actions in dealing with reportable incidents of an approved provider – if an final report is required under subsection 95E(1), take any action in response to the report, as appropriate	Subsection 95E(3)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
141	Approve the form for the purposes of Division 4 of Part 4B of the <i>Quality of Care Principles 2014</i>	Section 95F	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
142	Actions in dealing with reportable incidents of an approved provider – referral to police or body or person with responsibility	Paragraphs 95G(1)(a), 95G(1)(aa)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
143	Actions in dealing with reportable incidents of an approved provider	Paragraphs 95G(1)(b), 95G(1)(c), 95G(1)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
144	Actions in dealing with reportable incidents – require an approved provider to engage an appropriately qualified and independent expert to undertake and investigation and provide a report	Paragraph 95G(1)(d)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
145	Actions in dealing with reportable incidents of an approved provider – carry out an inquiry in relation to the incident in accordance with section 95H	Paragraph 95G(1)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>

146	Actions in dealing with reportable incidents of an approved provider – if an incident is investigated under paragraph 95G(1)(c) or 95G(1)(d), take any action to deal with the outcome of the investigation, as appropriate	Subsection 95G(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
147	Conduct an inquiry in relation to reportable incidents of an approved provider	Section 95H (referred to in paragraph 95G(1)(e))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
148			<ul style="list-style-type: none"> <li>•</li> </ul>
149	Require specified information about reportable incidents of a service provider	Section 95L	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> <li>• APS 5</li> </ul>
150	Require final report on reportable incident of a service provider	Paragraph 95M(2)(e)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
151	Actions in dealing with reportable incidents of a service provider – referral to police or body or person with responsibility	Paragraphs 95(M)(2)(a), 95(M)(2)(b)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
152	Actions in dealing with reportable incidents of a service provider	Paragraphs 95M(2)(c), 95(M)(2)(d), 95M(2)(f)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 6</li> </ul>
153	Actions in dealing with reportable incidents of a service provider – if an incident is investigated under paragraph 95M(2)(d), take any	Subsection 95M(4)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

	action to deal with the outcome of the investigation, as appropriate		
154	Actions in dealing with reportable incidents of a service provider – if a final report is required and given under paragraph 95M(2)(e), take any action in response to the report, as appropriate	Subsection 95M(5)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Reconsideration and review of decisions</b>			
155	Reconsider a complaints reviewable Commissioner decision (note restrictions on delegate selection in subsection 100(1))	Section 100  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 100(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
156	Reconsider a regulatory reviewable Commissioner decision (note restrictions on delegate selection in subsection 101(1))	Section 101  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 101(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
157	Reconsideration of a regulatory reviewable decision on own initiative (note restrictions on delegate selection in subsection 102(1))	Section 102  (note: powers in legislation are to be exercised by an ‘internal reviewer’. However, this instrument treats powers as Commissioner powers to be delegated as expressed in subsection 102(1))	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>

158	Publish reconsideration decisions and any site audit report or review audit report considered in making the decision on the Commission's website, publish notices stating that a reconsideration decision is subject to review by the Administrative Appeals Tribunal, and publish decisions of the Tribunal	Section 104	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
<b>Information sharing and confidentiality</b>			
159	Provide in writing information about the failure by an Aboriginal and Torres Strait Islander service to comply with the Quality Review Guidelines to the Secretary	Section 108	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
160	Provide in writing information about the failure by a home support service to comply with the Aged Care Quality Standards to the Secretary	Section 109	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> </ul>
161	Disclose protected information based on belief, on reasonable grounds, that not disclosing would place an aged care consumer's safety, health or well-being is at risk	Section 111	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• Quality Assessor (member of staff of the Commission)</li> </ul>
<b><i>Regulatory Powers (Standard Provisions) Act 2014</i></b>			
162	Issue an identity card to an authorised person  <u>Note:</u> the powers in Part 2 are triggered by section 74B of the <i>Aged Care Quality and Safety Commission Act 2018</i>	Subsections 35(1), 35(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>

163	<p>Must take reasonable steps to return seized things under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 66	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
164	<p>Apply to issuing officer for an order permitting the retention of a thing seized under Part 3</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 67	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
165	<p>Dispose of a thing seized under Part 3 in certain circumstances</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 68	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> </ul>
166	<p>Issue an identity card to an authorised person</p> <p><u>Note:</u> the powers in Part 3 are triggered by section 74D of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Subsections 76(1), 76(2)	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> <li>• EL 1</li> <li>• APS 3-6</li> </ul>
167	<p>Issue an infringement notice as an infringement officer</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 103	<ul style="list-style-type: none"> <li>• SES Band 2</li> <li>• SES Band 1</li> <li>• EL 2</li> </ul>
168	Relevant chief executive may extend the period of	Section 105	<ul style="list-style-type: none"> <li>• SES Band 2</li> </ul>

	<p>time to pay the amount in an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>		<ul style="list-style-type: none"><li>• SES Band 1</li></ul>
169	<p>Relevant chief executive may withdraw of an infringement notice</p> <p><u>Note:</u> the powers in Part 5 are triggered by section 74EB of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 106	<ul style="list-style-type: none"><li>• SES Band 2</li><li>• SES Band 1</li></ul>
170	<p>Accept an enforceable undertaking as the authorised person</p> <p><u>Note:</u> the powers in Part 6 are triggered by section 74EC of the <i>Aged Care Quality and Safety Commission Act 2018</i></p>	Section 114	<ul style="list-style-type: none"><li>• SES Band 2</li><li>• SES Band 1</li><li>• EL 2</li></ul>

SCHEDULE 2

	Column 1	Column 2
Item	Power or function	Delegate
1	Powers and functions under Part 7B of the <i>Aged Care Quality and Safety Commission Act 2018</i> as they relate to the enforcement of an aged care responsibility referred to under paragraph 63-1(1)(a) or (h) of the <i>Aged Care Act 1997</i>	SES Band 1 or EL 2 officers in the branch responsible for Aged Care Funding Instrument (ACFI) compliance in the Department of Health.