

FACTSHEET

RETIREMENT VILLAGES INFORMATION FOR RESIDENTS AND OPERATORS



Some people are at more risk of serious illness from COVID-19 than others, and extra precautions can be taken to help you stay safe.

People most at risk of complications from COVID-19 are:

- › People aged 70 years and over;
- › People aged 65 years and over with chronic medical conditions;
- › People with compromised immune systems; and
- › Aboriginal and Torres Strait Islander people over the age of 50 with one or more chronic medical conditions.

Resident Meetings

Meetings of residents and proxy votes – Sections 112A, 117 (1A) and (1B) under the ACT Retirement Villages Act

Q: How can residents meet during the COVID-19 emergency?

A: During the COVID-19 emergency, residents committees may authorise that meetings be held remotely either by using:

- › a single method of communication, or
- › a combination of methods of communication.

The communication method/s must allow residents taking part to hear or otherwise know what each other resident taking part says without the residents being in each other's presence.

Examples of communication methods include:

- › phone link (teleconference);
- › via the internet (video conference); or
- › in writing.

Q: How many proxy appointments can a person hold during the COVID-19 emergency?

A: There will be no limit on the number of residents a person can act as proxy for. However, a limit may be specified in a retirement village's village rules.

After the COVID-19 emergency, the maximum number of appointed proxies for one person will revert to 2.

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Meetings convened by the operator – Section 261A

Q: What happens if an operator wants or needs to hold a meeting with the residents during the COVID-19 emergency? For example, if an operator wishes to propose an amendment to the village rules or if there is a new operator for the retirement village?

A: Similar to meetings of residents, an operator may authorise that meetings be held remotely either by using:

- › a single method of communication, or
- › a combination of methods of communication.

The communication method/s must allow residents taking part to hear or otherwise know what each other resident taking part says without the residents being in each other's presence.

Examples of communication methods include:

- › phone link (teleconference),
- › via the internet (video conference),
- › or in writing.

However, the operator **must** ensure each resident:

- › has access to facilities that will allow them to take part in the meeting using the communication method/s; and
- › can use the facilities.

Annual management meetings - Section 107 (3A)

Q: When must annual management meetings be held?

A: During the COVID-19 emergency, operators can choose to postpone an annual management meeting which is ordinarily required to be held not more than 4 months after the end of each financial year.

However, if an operator chooses to postpone an annual management meeting, the meeting must be held as soon as reasonably practicable after the COVID-19 public health emergency declaration is no longer in force and having regard to any current advice by the ACT chief health officer.

Information about the public health emergency declaration can be located here: <https://www.covid19.act.gov.au/resources/public-health-directions>

Q: How can annual management meetings be held during the COVID-19 emergency?

A: Annual management meetings are meetings convened by the operator. Guidance have been provided above under the heading "Meetings convened by the operator".

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Proposed Annual Budgets – Sections 159 (2A) and (2B)

Q: When do operators have to provide the proposed annual budget for the 2020-2021 financial year during the COVID-19 emergency?

A: Operators may hold off providing the proposed annual budget for the 2020-2021 financial year within the required timeframes if due to COVID-19 it is not reasonably practicable for residents to meet, consider and vote on the proposed annual budget.

The required timeframes are - either 60 days prior to the end of the financial year or an agreed date at least 30 days prior to the end of the financial year (agreed to by the residents and operator).

If the operator chooses to delay providing a proposed annual budget for the 2020-2021 financial year, the operator must give the residents the proposed annual budget as soon as reasonably practicable after the required timeframes, in consideration of any direction in place in relation to COVID-19 and the advice of the Chief Health Officer.

Q: What happens if the annual budget has not been approved prior to the new financial year starting?

A: Until the proposed annual budget for the 2020-2021 financial year has been provided to the residents and approved, the previous year's (2019/2020) budget is taken to be the approved budget.

Q: Can residents consider and vote on the proposed annual budget during the COVID-19 emergency?

A: Yes, meetings of residents may be held using other methods of communication to allow this to occur. Guidance have been provided above under the heading "Meetings of residents".

Checklist

- › Hold meetings remotely not in-person or face to face
- › Must ensure all residents can participate in remote meetings
- › Meetings can be postponed due to COVID-19
- › Approved annual budget (2019/2020) roll over to the next financial year until a new one is approved.

This information is correct as of 26 May 2020. For the latest advice on restrictions please check covid19.act.gov.au or call the **COVID-19 helpline** on **(02) 6207 7244**.

Senior Information Line

Council of the Ageing (COTA) are available to take calls, listen to your concerns and provide advice on a range of programs and supports available to Senior Canberrans.

Call **(02) 6282 3777**.



For updates, visit
covid19.act.gov.au