

South Australia



**OFFICE FOR THE AGEING ACT 1995**

No. 92 of 1995

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**ELIZABETHAE II REGINAE**

A.D. 1995

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**No. 92 of 1995**

**An Act to establish the Office for the Ageing and the Advisory Board on Ageing; to repeal the Commissioner for the Ageing Act 1984; and for other purposes.**

*[Assented to 7 December 1995]*

The Parliament of South Australia enacts as follows:

**PART 1  
PRELIMINARY**

**Short title**

1. This Act may be cited as the *Office for the Ageing Act 1995*.

**Commencement**

2. This Act will come into operation on a day to be fixed by proclamation.

**PART 2**  
**OFFICE FOR THE AGEING**

**Office for the Ageing**

3. (1) There is to be an *Office for the Ageing*.

(2) The Office for the Ageing is to consist of—

- (a) the Director of the Office for the Ageing who is to be a Public Service employee; and
- (b) other Public Service employees assigned or appointed to assist the Director.

(3) A person cannot be appointed as Director, nor can the employment of the Director be terminated, except with the approval of the Minister.

**Objectives of Office**

4. The objectives of the Office for the Ageing are—

- (a) to achieve proper integration of the ageing within the total community thus ensuring that the skills and experience of the ageing are not lost to the community through social alienation;
- (b) to create social structures in which the ageing are able to realise their full potential as individuals and as members of the community;
- (c) to create a social ethos in which the ageing are accorded the dignity, appreciation and respect that properly belong to them;
- (d) to ensure that the multicultural nature of the community is reflected in the planning and implementation of programs and services for the ageing or affecting the ageing;
- (e) to achieve a proper understanding within the community of the problems of the ageing and to ameliorate those problems so far as it is practicable to do so by modification of social structures and attitudes.

**Functions of Office**

5. The functions of the Office for the Ageing are—

- (a) to assist in the development and co-ordination of State government policies and strategies affecting the ageing and for that purpose to consult with the ageing, providers of services to the ageing, organisations for the benefit of or representing the interests of the ageing and other relevant persons;
- (b) to advise on the development and implementation of programs and services for the ageing and to actively foster and seek the involvement of the ageing, wherever practicable, in the development and implementation of programs or services that are intended for their benefit or that will have a special effect on them;
- (c) to monitor the effect on the ageing of—
  - (i) practices of the Governments of the State and Commonwealth and local government; and

- (ii) Commonwealth and State law (including local government by-laws),  
and to make appropriate representations in the interests of the ageing;
- (d) to ensure as far as practicable that the interests of the ageing are considered when programs or services that may affect them are being developed or implemented;
- (e) to undertake or commission research into matters affecting the ageing;
- (f) to compile data relating to the ageing;
- (g) to disseminate information for the assistance of the ageing;
- (h) to ensure as far as practicable that financial and investment advice is available to the ageing;
- (i) to keep social attitudes towards the ageing under review and to promote a better understanding of the ageing within the community;
- (j) to assess the incidence of discrimination against the ageing in employment and to promote action to overcome such discrimination;
- (k) to keep under review the special needs of individual groups of the ageing (including Aboriginal peoples, those who suffer from physical or mental disabilities and those who are economically disadvantaged), and to promote various methods by which those needs may be satisfied;
- (l) to consult and co-operate with other bodies and persons that assist the ageing;
- (m) to plan, co-ordinate or administer, or assist in the planning, co-ordination or administration of, programs and services that may assist the ageing;
- (n) to consult with the ageing in relation to the means of promoting their interests and, as the Director considers appropriate, to represent the views of the ageing to the Minister;
- (o) to report to the Minister on any matter relating to the ageing referred by the Minister;
- (p) to carry out any other function relating to the ageing assigned by the Minister.

#### **Annual report**

6. (1) The Director must, on or before 31 October in each year, provide a report to the Minister on the administration of this Act during the preceding financial year.

(2) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after being provided with the report.

#### **Delegation by Director**

7. (1) The Director may, by instrument in writing, delegate to a suitable person powers or functions of the Director.

(2) A delegation under this section—

(a) is revocable at will; and

(b) does not prevent the Director from acting personally in the matter.

**PART 3  
ADVISORY BOARD ON AGEING**

**Advisory Board**

8. (1) The Minister must establish an *Advisory Board on Ageing*.

(2) The Board is to consist of—

(a) the Director of the Office for the Ageing (who is to be a member *ex officio*); and

(b) not less than three, and not more than six, other persons with relevant expertise.

(3) At least two members of the Board must be women and two men.

(4) The membership may include persons from public or private sector organisations but each member will be appointed having regard to his or her ability to contribute as an individual and not as a representative of the organisation.

(5) The term or terms of office of a member (other than the Director) must not exceed four years in aggregate.

(6) The Minister will designate one of the members (other than the Director) to be the presiding member.

(7) The Director will provide secretarial and other services and facilities reasonably required by the Board.

**Functions of Advisory Board**

9. The Board is to advise the Minister, either on its own initiative or at the request of the Minister, on issues relating to the ageing.

**SCHEDULE**

*Repeal*

The *Commissioner for the Ageing Act 1984* is repealed.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

**ROMA MITCHELL** Governor