

South Australia

# Office for the Ageing Act 1995

An Act to establish the Office for the Ageing; and for other purposes.

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

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

## **Part 2—Office for Ageing Well**

### **7—Office for Ageing Well**

- (1) The *Office for the Ageing* established under this Act continues as the *Office for Ageing Well*.
- (2) The Office for Ageing Well consists of—
  - (a) the Director of the Office for Ageing Well (who is to be a Public Service employee); and
  - (b) such other Public Service employees as may be 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.

## 8—Objectives of Office for Ageing Well

The objectives of the Office for Ageing Well include—

- (a) supporting South Australians of all ages to age well, unencumbered by stigma and discrimination; and
- (b) achieving proper integration of ageing persons within the community thus ensuring that the skills and experience of the ageing are not lost to the community through social alienation; and
- (c) creating social structures in which ageing persons are able to realise their full potential as individuals and as members of the community; and
- (d) creating a social ethos in which ageing persons are accorded the dignity, appreciation and respect that properly belong to them; and
- (e) ensuring that the multicultural nature of the community is reflected in the planning and implementation of programs and services relevant to ageing persons; and
- (f) achieving a proper understanding within the community of the problems affecting ageing persons and other vulnerable adults and ameliorating those problems so far as it is practicable to do so by modification of social structures and attitudes.

## 9—Functions of Office for Ageing Well

The functions of the Office for Ageing Well are—

- (a) to assist in the development and coordination of State Government policies and strategies affecting the ageing and for that purpose to consult with the ageing, providers of services to the ageing and 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 Government of the State, as well as the 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 cooperate with other bodies and persons that assist the ageing;
- (m) to plan, coordinate or administer, or assist in the planning, coordination 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 support the Adult Safeguarding Unit in exercising their functions and powers under this Act;
- (q) to carry out such other functions as may be assigned to the Office by the Minister or under this or any other Act.

## **10—Delegation**

- (1) The Director may delegate a function or power under this Part (other than a prescribed function or power) to any person or body that is, in the Director's opinion, competent to perform or exercise the relevant function or power.
- (2) A delegation under this section—
  - (a) must be in writing; and
  - (b) may be conditional or unconditional; and
  - (c) is revocable at will; and
  - (d) does not prevent the delegator from acting in any matter.
- (3) A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

## **11—Annual report**

- (1) The Director must, on or before 31 October in each year, report to the Minister on the operations of the Office for Ageing Well during the preceding financial year.
- (2) The Minister must, within 6 sitting days after receiving a report from the Director, have copies of the report laid before both Houses of Parliament.

## Legislative history

### Notes

- Amendments of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation repealed by principal Act

The *Office for the Ageing Act 1995* repealed the following:

*Commissioner for the Ageing Act 1984*

### Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1995	92	<i>Office for the Ageing Act 1995</i>	7.12.1995	20.6.1996 ( <i>Gazette 20.6.1996 p2971</i> )
1999	69	<i>Office for the Ageing (Advisory Board) Amendment Act 1999</i>	18.11.1999	1.7.2000 ( <i>Gazette 15.6.2000 p3131</i> )
2015	8	<i>Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015</i>	18.6.2015	Pt 27 (ss 177—179)—1.7.2015 ( <i>Gazette 25.6.2015 p3076</i> )
<b>2018</b>	<b>34</b>	<b><i>Office for the Ageing (Adult Safeguarding) Amendment Act 2018</i></b>	<b>22.11.2018</b>	<b>1.2.2019 (<i>Gazette 31.1.2019 p370</i>) except ss 4, 5, new Pt 3, Pt 4 Divs 1 to 5, Pt 5 Div 1, Pts 6, 7 (as inserted by s 6), s 7 &amp; Sch 1—1.10.2019 and except new Pt 4 Div 6 &amp; Pt 5 Div 2 (as inserted by s 6)—1.10.2020 (<i>Gazette 20.6.2019 p2206</i>)</b>

### Provisions amended

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i>	
	amended by 8/2015 s 177	1.7.2015
	amended by 34/2018 s 7	uncommenced—not incorporated

Pt 1		
s 1	amended by 34/2018 s 4	uncommenced—not incorporated
<i>s 2 before insertion by 34/2018</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	
ss 2—6	inserted by 34/2018 s 5	uncommenced—not incorporated
<b>Pt 2</b>	<b>substituted by 34/2018 s 6</b>	<b>1.2.2019</b>
<i>Pt 3 before deletion by 8/2015</i>		
s 8		
s 8(2)	<i>amended by 69/1999 s 3(a)</i>	1.7.2000
s 8(3)	<i>substituted by 69/1999 s 3(b)</i>	1.7.2000
s 8(5)	<i>amended by 69/1999 s 3(c)</i>	1.7.2000
<i>Pt 3 before insertion by 34/2018</i>	<i>deleted by 8/1015 s 178</i>	1.7.2015
Pt 3	inserted by 34/2018 s 6	uncommenced—not incorporated
Pt 4	inserted by 34/2018 s 6	uncommenced—not incorporated
Pt 5	inserted by 34/2018 s 6	uncommenced—not incorporated
Pt 6	inserted by 34/2018 s 6	uncommenced—not incorporated
Pt 7	inserted by 34/2018 s 6	uncommenced—not incorporated
<i>Sch</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	

## Transitional etc provisions associated with Act or amendments

### *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*

#### **179—Transitional provision**

A member of the Advisory Board on Ageing ceases to hold office on the commencement of this section.

## Historical versions

Reprint No 1—1.7.2000

1.7.2015