



Guide and practice



Refunding refundable deposits

Protecting consumers' financial interests



Contents

Refunding refundable deposits	3
Legislation	3
Calculating refunds	3
Deductions	3
Accommodation bond deductions	4
Refund due dates	4
Interest types	5
Practice 1 – interest rates	5
Base interest calculation	6
Practice 2 – base interest calculation	7
Maximum permissible interest calculation	8
Practice 3 – maximum permissible interest calculation	9
Governance and record keeping	10
Answers	11
Practice 1 – interest rates	11
Practice 2 – base interest calculation	11
Practice 3 – maximum permissible interest calculation	11
Further information	12
Contact us	12
Subscribe	12

Refunding refundable deposits

People who enter residential care can pay for their accommodation costs with:

- a refundable deposit
- a daily payment
- a combination of a refundable deposit and a daily payment.

When a person transfers to another service, permanently leaves care or passes away, you need to refund their refundable deposit.

The term refundable deposit refers to refundable accommodation deposits, refundable accommodation contributions and accommodation bonds.

Legislation

- *Aged Care Act 1997* (Cth) – (the Act) Part 3A.3 Divisions 52M and 52P
- *Aged Care (Transitional Provisions) Act 1997* (Cth) Subdivision 57-F
- *Fees and Payments Principles 2014 No. 2* (Cth) (Fees and Payments Principles) Parts 5 and 7



Calculating refunds

Your refundable deposit register (a requirement of the Records Standard) has the information you need to calculate refundable deposit refunds.

When a person leaves your service or gives you notice to leave, work out the refundable deposit balance. To calculate this:

1. check your refundable deposit register to find their refundable deposit amount
2. deduct any approved amounts from a person's refundable deposit amount (this information is in writing, in a person's residential accommodation agreement)
3. work out when the refund is due in relation to the refund event (s.52P-1(2)(a) or (b) of the Act)
4. calculate and add any interest, if payable, on the refundable deposit balance.

Deductions

You can only take set deductions from a refundable deposit to pay a person's debt. The person receiving care must agree to the type of debt and amounts you can take from their refundable deposit. The service records this in writing (in a person's residential accommodation agreement) when they enter residential care. Before you calculate interest on a refundable deposit, you need to make all deductions.

Example

Refundable accommodation deposit:	\$450,000
Approved deductions:	\$10,000
Refundable deposit balance:	\$440,000

Accommodation bond deductions

If you hold an accommodation bond, you can deduct:

- amounts owed under a consumer’s accommodation bond agreement, care recipient agreement, or extra services agreement
- interest on amounts owed (calculated from one month and 1 day after the fee is payable, until the fee is paid)
- retention amounts.

Go to the Department of Health and Aged Care's (the department) [website](#) and search '*schedule of fees and charges for pre-1 July 2014 residential care recipients*' for details.

Refund due dates

The due date of refunds depends on how a person exits care, how many days’ notice you get or if you see a grant of probate or letter of administration from the person’s estate.

Help people understand how you use and when you refund their refundable deposits.

Consumer panels have explained websites can be hard to use, and that most people in care want to talk to someone. You have a key role to help people understand how you use and refund their refundable deposits.

- Meet with people in your care and their representatives in person.
- Have regular information sessions in your service for people to learn and ask questions.
- Give people fact sheets about how you manage their deposits.
- Send regular and easy-read emails/ letters explaining your processes.

Refund event	Refund due
Person transfers from your service and gives more than 14 days' notice	The day the person leaves your service
Person transfers from your service and gives less than 14 days' notice	Within 14 days of receiving notice
Person transfers from your service and doesn't give notice	Within 14 days of departure
Person permanently leaves care	Within 14 days of leaving the service
Person dies	Within 14 days after you sight a grant of probate or letter of administration from the person's estate

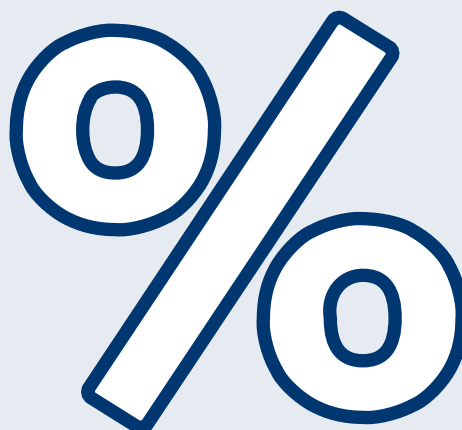
Interest types

You may need to pay interest on a person’s refundable deposit at the time you refund it. If interest is payable, you need to calculate this at the base interest rate (BIR) and the maximum permissible interest rate (MPIR) if necessary. The department lists the interest rates you need on their [website](#).

Practice 1 – interest rates

Go to health.gov.au and search for the base interest rate (BIR) and maximum permissible interest rates (MPIR) for residential aged care. Complete the table below. Check your answers at the end of this guide.

Time period	BIR (%)	MPIR (%)
1/01/2023 to 31/03/2023	2.25	a.
1/10/2022 to 31/12/2022	2.25	b.
1/07/2021 to 30/09/2021	c.	5.00
1/06/2020 to 30/06/2020	2.25	4.89
1/04/2020 to 31/05/2020	d.	e.
1/01/2020 to 31/03/2020	3.00	4.91



Base interest calculation

If you need to pay interest, you need to calculate the base interest on a person's refundable deposit from the day after the refund event, until the end of the refund period. The number of days (ND) you pay interest for is the same as the number of days you hold the refundable deposit during this period.

ND: is the number of days in the period beginning on the day after the day on which the refunding event occurred and ending on the day on which the refundable deposit balance is refunded.

Include the day of the refund in your interest calculations.

The base interest calculation is a set formula (Fees and Payments Principles s69).

Base interest calculation formula

Base interest rate = **BIR**

Refundable deposit balance after deductions = **RDB**

Number of days you hold deposit in refund period = **ND**

$$\text{Base interest calculation} = \frac{\text{BIR} \times \text{RDB} \times \text{ND}}{365}$$

After you have worked out the interest you owe, add this to the refundable deposit balance to get the full refund amount.

Base interest + refundable deposit balance = full refund amount



Practice 2 – base interest calculation

Use the base interest formula to complete the table below. The interest rates you need are in 'Practice 1 – interest rates'. Check your answers at the end of this guide.

Situation	Date of final day of legislated refund period	Refund date	Refundable deposit balance \$	BIR %	ND	Base interest payable \$
A. Jenny leaves your service to live with her son. She gives notice on 31/12/2022 that her last day is 28/02/2023.		10/03/2023	350,000			
B. Ken passes away on the 23/06/2023. You see a letter of probate on 01/08/2023. Ken owes \$4,325 in permitted deductions.		15/08/2023	545,675 (550,000 – 4,325)			
C. Mary gives 7 days' notice. She leaves your service on 25/02/2020 and transfers to another service.		01/03/2020	350,000			
D. Sandy goes to hospital on 31/05/2020. Her family tells you (on the same day) she won't come back to your service and will remain in hospital care.		14/06/2020	400,000			

Hint

Change your BIR to a numeral for the calculation. For example, if it's 2.5%, move the decimal point two places to the left to .025.

Maximum permissible interest calculation

You need to pay maximum permissible interest on a person's refundable deposit from the day after the refund period until the day you refund the refundable deposit. The number of days you pay interest for is the same as the number of days you hold the refundable deposit after the refund due date.

Include the refund day in your interest calculations.

The maximum permissible interest calculation is a set formula (Fees and Payments Principles s69).

Maximum permissible interest calculation formula

Maximum permissible interest rate
= **MPIR**

Refundable deposit balance after deductions = **RDB**

Number of days you hold deposit after refund period = **ND(PP)**

After you have worked out the base and maximum permissible interest you owe, add these to the refundable deposit balance to get the full refund amount.

Base interest + maximum permissible interest + refundable deposit balance = full refund amount



Practice 3 – maximum permissible interest calculation

Use the maximum permissible interest formula to complete the table below. The interest rates you need are in 'Practice 1 – interest rates'. Check your answers at the end of this guide.

Situation	Date of final day of legislated refund period	Refund date	Refundable deposit balance \$	MPIR %	ND	Maximum permissible interest payable \$
A. Jenny is moving interstate to live with her son. She gives notice on 31/12/2022 for her last day on 28/02/2023.		10/03/2023	350,000			
B. Ken passes away on the 23/06/2023. You see a letter of probate on 01/08/2023.		29/08/2023	545,675 (550,000 – 4,325)			
C. Mary gives 3 days' notice. She is leaving your service on 24/02/2020.		16/03/2020	350,000			
D. Sandy goes to hospital on 31/05/2020. Her family tells you (on the same day) she won't come back to your service and will remain in hospital care.		20/06/2020	400,000			

Note: BIR may also be payable – not shown in these examples.

Governance and record keeping

The Prudential Standards and good governance practices support you to refund refundable deposits on time, every time.

Make sure:

- ✔ your governance arrangements are up-to-date and have written policies and procedures about how to accept, manage and refund refundable deposits
- ✔ your new residential accommodation agreements are complete within 28 days and have correct dates, approved prices and signatures from your organisation and your resident
- ✔ you date stamp letters of probate, letters of administration and notices of intent to leave the day you receive them
- ✔ your refundable deposit register includes all key identifiable information
- ✔ you give consumers a copy of their register entry every year, on request and a final copy when you refund their refundable deposit
- ✔ your records show the refundable deposit dollars and your working capital separately
- ✔ your liquidity monitoring, reporting and management processes allow enough liquidity to refund refundable deposits as due



Answers

Practice 1 – interest rates

Time period	BIR (%)	MPIR (%)
1/01/2023 to 31/03/2023	2.25	a. 7.46
1/10/2022 to 31/12/2022	2.25	b. 6.31
1/07/2021 to 30/09/2021	c. 2.25	5.00
1/06/2020 to 30/06/2020	2.25	4.89
1/04/2020 to 31/05/2020	d. 3.00	e. 4.89
1/01/2020 to 31/03/2020	3.00	4.91

Practice 2 – base interest calculation

Situation	Date of final day of legislated refund period	Refund date	Refundable deposit balance \$	BIR %	ND	Base interest payable \$
A. Jenny leaves your service to live with her son. She gives notice on 31/12/2022 that her last day is 28/02/2023.	14/03/2023	10/03/2023	350,000	2.25	10	215.75
B. Ken passes away on the 23/06/2023. You see a letter of probate on 01/08/2023. Ken owes \$4,325 in permitted deductions.	15/08/2023	15/08/2023	545,675 (550,000 – 4,325)	2.25	53	1,782.79
C. Mary gives 7 days’ notice. She leaves your service on 25/02/2020 and transfers to another service.	03/03/2020	01/03/2020	350,000	3.0	5	143.84
D. Sandy goes to hospital on 31/05/2020. Her family tells you (on the same day) she won’t come back to your service and will remain in hospital care.	14/06/2020	14/06/2020	400,000	2.25	14	345.21

Practice 3 – maximum permissible interest calculation

Situation	Date of final day of legislated refund period	Refund date	Refundable deposit balance \$	MPIR %	ND	Maximum permissible interest payable \$
A. Jenny is moving interstate to live with her son. She gives notice on 31/12/2022 for her last day on 28/02/2023.	14/03/2023	10/03/2023	350,000	7.06	0	0.00
B. Ken passes away on the 23/06/2023. You see a letter of probate on 01/08/2023.	15/08/2023	29/08/2023	545,675 (550,000 – 4,325)	7.9	14	1,653.47
C. Mary gives 3 days’ notice. She is leaving your service on 24/02/2020.	06/03/2020	16/03/2020	350,000	4.91	10	470.82
D. Sandy goes to hospital on 31/05/2020. Her family tells you (on the same day) she won’t come back to your service and will remain in hospital care.	14/06/2020	20/06/2020	400,000	4.89	6	321.53



Further information

[Prudential Standards webpage](#)

[Department of Health and Aged Care website](#)

Contact us

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