

# Documents to be provided to prospective residents

The *Retirement Villages Act 2016* (SA) (the Act) and the *Retirement Villages Regulations 2017* (SA) (the Regulations) require that operators provide prospective residents with a range of documents at least 10 business days before the person enters into a residence contract.

*Section 22 of the Act states:*

*22—Information to be provided before residence contract entered into*

*The operator of a retirement village must, at least 10 business days before a person enters into a residence contract, give the person a copy of each of the following documents:*

- a. the residence contract;*
- b. the disclosure statement;*
- c. if the contract relates to a retirement village already established—*
  - i. the financial statements presented at the last annual meeting of residents of the village, including a written statement of any subsequent change in the affairs of the village and the operator that may significantly affect the resident's decision to enter the village; and*
  - ii. a copy of the minutes of the last 2 annual meetings of residents of the village (if 2 or more such meetings have been held) or of the last annual meeting (if only 1 such meeting has been held);*
- d. the residence rules;*

- e. the policy of the operator to be applied for the remarketing of residences (the remarketing policy);*
- f. any code of conduct to be observed by the operator or residents;*
- g. any other document prescribed by the regulations.*

Along with the documents required under section 22, Regulation 5(2)(g)(vii) requires the residence contract to include a copy of the surplus and deficit policy of the retirement village scheme. Under Regulation 5(2)(j) the residence contract must include procedures for the resolution of a dispute within the retirement village. The following page contains an example of a checklist which you can adapt to ensure you provide prospective residents with all of the documents required under the Act and Regulations.

*Disclaimer: In developing this information sheet, every effort has been made to ensure that the information reflects the intent of the legislation and/or represents examples of best known practice. The information contained in these resources does not constitute legal advice. Office for Ageing Well recommends that you seek your own legal advice should you require interpretation of the legislation.*

For more information:

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**Government of South Australia**  
SA Health

## Documents provided to prospective resident(s)

In accordance with the *Retirement Villages Act 2016* (SA) and *Retirement Villages Regulations 2017* (SA), (name of operator) has provided (name of prospective resident) with the following completed documentation.

	Document	Date provided
1	Residence contract	
2	Disclosure statement	
3	Financial statements presented at the last annual meeting of residents of the village, including a written statement of any subsequent change in the affairs of the village and the operator that may significantly affect the resident's decision to enter the village.	
4	A copy of the minutes of the last two annual meetings of residents of the village (if two or more such meetings have been held) or of the last annual meeting (if only one such meeting has been held)	
5	The village's residence rules	
6	The village's remarketing policy	
7	Any code of conduct to be observed by the operator or residents (see Retirement Villages Regulations 2017 (SA), Schedule 1, Operator and Residents Code of Conduct).	
8	A copy of the surplus and deficit policy of the retirement village scheme	
9	Procedures for resolution of a dispute within the retirement village, including a statement of the provisions in section 45 of the Act	

Signed by or on behalf of the operator

..... / ..... / 20.....  
*print name* *signature*

Signed by the resident or their agent

..... / ..... / 20.....  
*print name* *signature*