

|  |
| --- |
| Guideline for Transfer of Approval in Principle (AIP) |
| Health service establishments |

# Guideline for AIP application for transfer of certificate

## What if plans change during construction?

Should the current holder of the Certificate of AIP wish to transfer the Certificate of AIP to another person during construction, an application for transfer of AIP must be submitted to the Department of Health and Human Services (the department).

## What is assessed when an application for AIP is made?

An assessment of an application for a variation or transfer of Certificate of AIP is undertaken in accordance with the criteria detailed in section 74 of the *Health Services Act 1988* (the Act). These criteria include:

* fitness and propriety of the proposed proprietor;
* financial capacity of the proposed proprietor;
* security of tenure; and
  + the applicant’s involvement in other health services.

## How to complete an AIP application and what documents and information do I need to provide?

### 1. Schedule 3 form and prescribed fee

* Applicants are required to complete Schedule 3 - Application for variation or transfer of Certificate of AIP (available for download from [Private Hospitals - forms](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides)) and include the information outlined below.
  + The application must include the prescribed fee as indicated on the Private Hospitals website- [Private Hospitals - fees](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/registration-fees). Cheques or money orders should be made payable to “Department of Health and Human Services”. Email <mailto:privatehospitals@dhhs.vic.gov.au> and request an invoice accompanied by schedule 6 form. If payment is made by EFT, a copy of confirmation of payment is to be provided with the application.

The department also requests other information and documents in order to assess an AIP application in accordance with the mandatory criteria detailed in section 71 of the Act.

### 2. Fitness and propriety

The Act requires the Secretary to the Department of Health and Human Services (the Secretary) to ensure proposed proprietors of health service establishments are fit and proper persons to operate such a facility. The following documents must be provided for the person or entity who is likely to be the proprietor of the health service establishment. This includes for sole proprietors, partnerships, all company directors and/or board members.

### 3. Probity

In order to access the fitness and propriety of the proposed proprietor, the department requires the following documents for each person:

* a completed Statutory Declaration-Fitness and Propriety (available for download from [Private Hospitals - forms](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides)).
  + a National Police Record Check issued within the past twelve (12) months (see Note 1 and Note 2).

#### (a) Natural person (sole trader or partnership)

ASIC current business name extract showing business name holder details obtained in past 30 days.

#### OR

#### (b) Company

* ASIC current business name extract showing business name holder details obtained in past 30 days.
* ASIC company extract search showing company office details and listing all directors and office holders obtained in past 30 days.
* If a subsidiary company, a company structure chart.
  + Director, Board or Office Bearer form for AIP (available for download from [Private Hospitals - forms](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides)).

#### OR

#### (c) Other body corporate

* Director, Board or Office Bearer form for AIP and any requested attachment (available for download from [Private Hospitals - forms](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides)).
* Certificate of Incorporation or other document as evidence of the status of the incorporated association or body corporate
  + The most recent Annual Report or Annual Return.

NOTE 1: The department will only accept a National Police Record Check (certified copy only) from any of the following agencies:

* Victoria Police

NOTE: If a police check application is lodged through Victoria Police, they will only do checks for Victorian residents.

* Australian Federal Police

NOTE: If there are directors or board members residing in other states, they must apply for their police check with that State or through a national accredited agency.

* A police force of another Australian State; or
  + An agency accredited with Crimtrac (see Australian Criminal Intelligence Commission) for further information). It is recommended that police check applications are lodged on-line through a nationally accredited agency (e.g. http://www.fit2work.com.au/) as the turn-around time can be as little as one hour.

NOTE 2: Certification of the National Police Check can be carried out by a Justice of the Peace, a registered nurse, accountant, bank manager, barrister, solicitor, police officer, registered pharmacist, medical practitioner, dentist, chiropractor, physiotherapist, veterinary surgeon or optometrist.

### 4. Financial capacity

The Act requires the Secretary to ensure that a proposed proprietor of a health service establishment has the financial capacity to undertake the new development and to operate the facility or service.

Please arrange for an appropriately qualified independent certified practicing accountant (CPA) or associate chartered accountant (ACA) to review the proposed proprietor’s financial situation and its capacity to develop the private hospital or day procedure centre and complete the relevant form.

Complete the Statement by an Independent ACA or CPA (available for download from [Private Hospitals - forms](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides)). Any disclaimer, qualification or reservation to this statement must be attached.

### 5. Accuracy of information

It is an offence under section 151 of the Act to provide false or misleading information for the purposes of complying with this Act.

## What happens after an application is made?

### Maximum time frame for processing applications

The Secretary (or Delegate) has 60 days after receiving an application (comprising the scheduled form and prescribed fee) to inform the applicant of a decision. If the Secretary (or Delegate) requests the applicant to provide additional information, a decision must be made within 28 days of receipt of the information last requested or within the 60-day period, whichever is later. Applicants should keep these time frames in mind when submitting an application for assessment.

Note: The department will endeavour to make a decision on complete AIP applications within 30 days.

### Certificate of AIP granted

After considering the application the Secretary (or Delegate) may grant the application and issue a transfer of a Certificate of AIP. The AIP may be granted with conditions.

### Site visit following construction of the private hospital or day procedure centre

The applicant should contact the Private Hospitals Unit two to four weeks prior to the completion of construction to arrange a site visit. The Occupancy Permit must be received by the department prior to the site visit taking place.

At this visit all relevant certifications of compliance with all relevant statutory authority and standards requirements must be submitted.

**Note:** If the Certificate of Occupancy is not provided to the department the scheduled site visit will not take place and a new appointment will have to be made.

NB: this is not applicable to mobile health services.

The Private Hospitals Unit will inspect the premises to ensure compliance with the Australasian Health Facility Guidelines (AusHFG) and the *Private Hospitals (Health Service Establishments) Regulations 2013* (the Regulations). At the final inspection any works that do not comply with the AusHFG or the Regulations may be required to be made compliant prior to registration of the facility.

Please complete the ‘AIP Site Inspection Checklist’ which provides a list of compliance certificates that may be required. This document can be downloaded from the [Private Hospitals website](https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides).

Please send the completed applications either by email to [Private Hospitals](mailto:privatehospitals@dhhs.vic.gov.au)

[privatehospitals@dhhs.vic.gov.au](mailto:privatehospitals@dhhs.vic.gov.au)

or by post to:

The Manager  
Private Hospitals  
Department of Health and Human Services  
GPO Box 4057  
MELBOURNE VIC 3001

|  |
| --- |
| To receive this publication in an accessible format email Private Hospitals at [privatehospitals@dhhs.vic.gov.au](mailto:privatehospitals@dhhs.vic.gov.au). Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne. © State of Victoria, Department of Health and Human Services July 2018. Available at Private Hospitals on the health.vic website <https://www2.health.vic.gov.au/hospitals-and-health-services/private-hospitals/forms-checklists-guides> |