



National Disability Insurance Scheme (NDIS Provider Definition) Rule 2018

I, Graeme Head, as delegate of the Minister for Social Services, make the following rule.

Dated 17 May 2018

Graeme Head
Commissioner of the NDIS Quality and Safeguards Commission

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Preamble

- (1) The National Disability Insurance Scheme (NDIS) represents a fundamental change to how supports for people with disability are funded and delivered across Australia. The NDIS was designed to produce major benefits for people with disability, their families and the broader community.
- (2) The NDIS Quality and Safeguards Commission is responsible for a range of functions under the National Quality and Safeguarding Framework aimed at protecting and preventing harm to people with disability in the NDIS market. The Commission will build the capability of NDIS participants and providers to uphold the rights of people with disability and realise the benefits of the NDIS. The legislation underpinning the NDIS is intended to support participants to be informed purchasers and consumers of NDIS supports and services and to live free from abuse, neglect, violence and exploitation.
- (3) The *National Disability Insurance Scheme (NDIS Provider Definition) Rule 2018* extends the jurisdiction of the NDIS Quality and Safeguards Commission under the definition of **NDIS provider** to cover providers of supports or services to older people with disability who are receiving continuity of supports under the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older People. The people receiving these supports and services were found to be ineligible for the NDIS at the time of transition in their State or Territory due to age.

1 Name

This instrument is the *National Disability Insurance Scheme (NDIS Provider Definition) Rule 2018*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2018.	1 July 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *National Disability Insurance Scheme Act 2013*.

4 Definitions

In this instrument:

Act means the *National Disability Insurance Scheme Act 2013*.

5 Definition of NDIS Provider

For the purposes of the Act, NDIS provider is prescribed to include a person or entity who is providing supports or services to older people with disability who are receiving continuity of support under the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older People.

Note 1: Pursuant to section 9 of the Act, the National Disability Insurance Scheme rules may prescribe a person or entity to be an NDIS provider.

Note 2: The *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018* specify classes of supports for which NDIS providers must be registered.

Note 3: Pursuant to subsection 73C(2) a person prescribed to be an NDIS provider may apply to be a registered NDIS provider in relation to the provision of services or supports to people with disability.