



National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Amendment Rules 2020

I, Graeme Head, as delegate of the Minister for the National Disability Insurance Scheme, make the following rules.

Dated 17 June 2020

Graeme Head
Commissioner of the NDIS Quality and Safeguards Commission

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rule 2018</i>	<i>2</i>

1 Name

This instrument is the *National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Amendment Rules 2020*.

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	The later of: (a) the start of the day after this instrument is registered; and (b) immediately after the commencement of the <i>National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	23 June 2020 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made.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 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rule 2018

1 Section 4 (note to heading)

Repeal the note, substitute:

- Note: A number of expressions used in this instrument are defined in section 9 of the Act, including the following:
- (a) Commissioner;
 - (b) participant;
 - (c) registered NDIS provider.

2 Section 4 (definitions of *building authority* and *complex home modification*)

Repeal the definitions.

3 Section 4

Insert:

enrolled, in relation to a dwelling, means a dwelling enrolled to provide SDA under the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020*.

4 Section 4

Repeal the following definitions:

- (a) definition of *existing stock*;
- (b) definition of *intentional community*;
- (c) definition of *legacy stock*;
- (d) definition of *long-term accommodation*;
- (e) definition of *new build*;
- (f) definition of *permanent dwellings*;
- (g) definition of *SDA building type*;
- (h) definition of *SDA design category*;
- (i) definition of *SDA type*;
- (j) definition of *single parcel of land*.

5 Section 4 (definition of *specialist disability accommodation*)

Repeal the definition, substitute:

specialist disability accommodation has the same meaning as in the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020*.

6 Sections 6 and 7

Repeal the sections, substitute:

6 Delivery of SDA only in enrolled dwellings

The registration of a specialist disability accommodation provider is subject to the following conditions:

- (a) the provider does not provide SDA in a dwelling, unless that dwelling is enrolled;
- (b) the provider does not apply to enrol a dwelling unless the dwelling meets the requirements set out in subsection 25(4) of the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020*;
- (c) the provider ensures that all of the provider's enrolled dwellings continue to meet those requirements.

7 Sections 12 and 13

Repeal the sections.

8 Parts 3, 4 and 5

Repeal the Parts, substitute:

Part 3—Application and transitional provisions**Division 1—Application and transitional provisions relating to the National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Amendment Rules 2020****12 Amendments made by the *National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Amendment Rules 2020***

The amendments made by Schedule 1 to the *National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Amendment Rules 2020* apply in relation to the registration of a specialist disability accommodation provider whether the registration occurred before, on or after the commencement of this section.