

National Disability Insurance Scheme (NDIS Provider Definition) Amendment Rules 2021

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

Dated 29 June 2021

Graeme Head AO

Commissioner of the NDIS Quality and Safeguards Commission

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1 Name

This instrument is the *National Disability Insurance Scheme (NDIS Provider Definition) Amendment Rules 2021*.

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 2021. | 1 July 2021 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (NDIS Provider Definition) Rule 2018

1 Subsection (3) of the Preamble

Omit “the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older People”, substitute “either the program known as Commonwealth Disability Support for Older Australians or the program known as the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older People”.

2 Section 5

Repeal the section, substitute:

5 Definition of *NDIS provider*

For the purposes of subparagraph (b)(ii) of the definition of ***NDIS provider*** in section 9 of the Act, a person or entity who is providing supports or services to older people with disability who are receiving continuity of support under either of the following programs is prescribed:

(a) the program administered by the Commonwealth and known as Commonwealth Disability Support for Older Australians;

(b) the program administered by the Commonwealth and known as the Commonwealth Continuity of Support Programme relating to Specialist Disability Services for Older People.

Note 1: The National Disability Insurance Scheme Rules may require that specified classes of supports are to be provided only by NDIS providers who are registered to provide those classes of supports: see section 73B of the Act.

Note 2: A person prescribed by this section 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 other than under the National Disability Insurance Scheme: see subsection 73C(2) of the Act.