



# **National Disability Insurance Scheme (Code of Conduct) Amendment (2023 Measures No. 1) Rules 2023**

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

Dated 15 December 2023

Tracy Mackey  
Commissioner of the NDIS Quality and Safeguards Commission

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## 1 Name

This instrument is the *National Disability Insurance Scheme (Code of Conduct) Amendment (2023 Measures No. 1) Rules 2023*.

## 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 day after this instrument is registered.	19 December 2023

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

#### **1 Section 4 (paragraphs (a) to (c) of the note)**

Repeal the paragraphs, substitute:

- (a) key personnel;
- (b) National Disability Insurance Scheme;
- (c) NDIS Code of Conduct;
- (d) NDIS provider;
- (e) participant.

#### **2 Subsection 5(2)**

Repeal the subsection, substitute:

- (2) Both of the following are *Code-covered persons*:
  - (a) NDIS providers;
  - (b) persons employed or otherwise engaged by NDIS providers or members of the key personnel of NDIS providers.

#### **3 Section 6**

Before “In providing”, insert “(1)”.

#### **4 At the end of section 6**

Add:

- (2) A Code-covered person must not, without a reasonable justification:
  - (a) represent a price for the supply of goods for a participant that is higher than the price represented for the supply by the Code-covered person of the same (or substantially the same) goods for a person who is not a participant; or
  - (b) charge a price for the supply of goods for a participant that is higher than the price that the Code-covered person charges for the same (or substantially the same) goods for a person who is not a participant.