



Disability Services (National Standards for Disability Services) Amendment (2021 Measures No. 1) Determination 2021

I, Anne Ruston, Minister for Families and Social Services, make the following determination.

Dated 25 March 2021

Anne Ruston
Minister for Families and Social Services

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1 Name

This instrument is the *Disability Services (National Standards for Disability Services) Amendment (2021 Measures No. 1) Determination 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	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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 section 5A of the *Disability Services Act 1986*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Disability Services Act (National Standards for Disability Services) Determination 2014

1 Subsection 5(1)

Omit “(1)”.

2 Subsection 5(1) (definition of *Indicators of Practice*)

Repeal the definition.

3 Sections 6, 7 and 8

Repeal the sections, substitute:

6 Standards for the provision of an employment service (other than supported employment services), rehabilitation programs and advocacy services

- (1) For the purposes of paragraphs 5A(1)(b), (ba) and (c) of the *Disability Services Act 1986*, the standards set out in Schedule 1 to this instrument are determined as:
 - (a) the disability employment standards to be observed by a State or eligible organisation in the provision of an employment service (other than supported employment services) referred to in Part II of the Act; and
 - (b) the disability advocacy standards to be observed by a State or eligible organisation in the provision of an advocacy service referred to in that Part; and
 - (c) the rehabilitation program standards to be observed by a State or eligible organisation in the provision of rehabilitation programs referred to in Part III of the Act.
- (2) For the purposes of subsection 5A(2) of the Act, the indicators of practice set out in Schedule 1 for each standard set out in that Schedule are approved as key performance indicators to be applied in assessing whether the standard has been observed by the State or eligible organisation.

7 Standards for the provision of supported employment services—States and eligible organisations that are not registered, and have not applied for registration, as NDIS providers

- (1) This section applies in relation to a State or eligible organisation that:
 - (a) is not registered, and has not applied for registration, as a registered NDIS provider under the *National Disability Insurance Scheme Act 2013*; and
 - (b) provides supported employment services.
- (2) For the purposes of paragraph 5A(1)(b) of the *Disability Services Act 1986*, the standards set out in Schedule 1 to this instrument are determined as the disability employment standards to be observed by the State or eligible organisation in the provision of supported employment services.

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- (3) For the purposes of subsection 5A(2) of the Act, the indicators of practice set out in Schedule 1 are approved as key performance indicators to be applied in assessing whether the standards have been observed by the State or eligible organisation.

8 Standards for the provision of supported employment services—States and eligible organisations that are registered, or have applied for registration, as NDIS providers

- (1) This section applies in relation to a State or eligible organisation that:
- (a) is registered, or has applied for registration, as a registered NDIS provider under the *National Disability Insurance Scheme Act 2013*; and
 - (b) provides supported employment services.
- (2) For the purposes of paragraph 5A(1)(b) of the *Disability Services Act 1986*, the standards set out in Schedule 1 to the *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018* are determined as the disability employment standards to be observed by the State or eligible organisation in the provision of supported employment services.
- (3) For the purposes of subsection 5A(2) of the Act, the indicators in Part 2 of the *National Disability Insurance Scheme (Quality Indicators) Guidelines 2018* are approved as key performance indicators to be applied in assessing whether the standards set out in Schedule 1 to the *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018* have been observed by the State or eligible organisation.