Australian Capital Territory

Disability Services Act 1991

A1991-98

Republication No 15

Effective: 16 December 2025

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Last amendment made by A2025-29

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About this republication

The republished law

This is a republication of the *Disability Services Act 1991* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 16 December 2025. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 16 December 2025.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is $160 for an individual and $810 for a corporation (see *Legislation Act 2001*, s 133).

Australian Capital Territory

Disability Services Act 1991

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Australian Capital Territory

Disability Services Act 1991

An Act relating to persons with disabilities

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Part 1 Preliminary

1 Name of Act

This Act is the *Disability Services Act 1991*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

2A Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the Legislation Act s 127 (1), (4) and (5) for the legal status of notes.

3 Objects

The objects of this Act are—

(a) to enable people with disabilities to receive the services necessary to enable them to achieve their maximum potential as members of the community; and

(b) to enable people with disabilities to receive services that—

(i) further their integration into the community and complement services available generally to people in the community; and

(ii) enable them to achieve a better quality of life including increased independence, employment opportunities and integration in the community; and

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(iii) are provided in ways that promote in the community a positive image of people with disabilities and enhance their self-esteem; and

(c) to ensure that the quality of life achieved by people with disabilities as the result of the services provided for them is taken into account in the granting of financial assistance for the provision of those services; and

(d) to promote the provision of high quality and innovative supports to enable people with disabilities to maximise independent lifestyles and full inclusion in the community; and

(e) to provide a system to administer funding for people with disabilities that is flexible and responsive to the needs and aspirations of those people.

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Part 1A Specialist disability services

4 What is a *specialist disability service*?

(1) A ***specialist disability service*** is a service that—

(a) is provided specifically for people with disability; and

(b) is of a type declared by the Minister under subsection (2).

(2) The Minister may declare a type of service to be a specialist disability service.

Examples—service types

- accommodation support services
- advocacy services
- case management services
- personal care services
- respite care services

(3) A declaration may apply, adopt or incorporate an instrument as in force from time to time.

(4) A declaration is a disallowable instrument.

5 Who is a *specialist disability service provider*?

(1) A ***specialist disability service provider*** is a person or entity (other than the Territory) that provides specialist disability services, whether or not for profit, but does not include—

(a) a close relative of a person with disability who provides specialist disability services to the person other than as an agent or employee of a specialist disability service provider; or

(b) a person or entity prescribed by regulation.

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(2) In this section:

close relative of a person means the person's—

(a) domestic partner; or

Note ***Domestic partner***—see the Legislation Act, s 169.

(b) father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law; or

(c) son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law; or

(d) brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law; or

(e) uncle, aunt, uncle-in-law or aunt-in-law; or

(f) nephew, niece or cousin.

5A Approval of standards

(1) The Minister may approve standards about the provision of specialist disability services by specialist disability service providers.

Examples—matters standards may be about

- quality of services
- qualifications and training for staff
- criminal history checks
- protection of personal information
- allowing reasonable access to premises to inspect the operation of services

Note Power to make a statutory instrument includes power to make different provision in relation to different matters or different classes of matters, and to make an instrument that applies differently by reference to stated exceptions or factors (see Legislation Act, s 48).

(2) An approved standard may apply, adopt or incorporate an instrument as in force from time to time.

(3) An approved standard is a disallowable instrument.

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Part 2 Financial Assistance

6 Financial assistance for providers of services

(1) The Minister may approve grants of financial assistance to—

(a) a provider of services; or

(b) a person with a disability; or

(c) a researcher;

subject to the prospective grantee entering into an agreement with the Minister under section 7.

(2) The Minister must not approve a grant unless satisfied—

(a) that the grant would further the principles set out in schedule 1 and comply with any guidelines referred to in section 10 (1) (a); and

(b) that the programs and services funded by the grant would comply with the requirements set out in schedule 2.

7 Conditions of grants

(1) A person or an organisation may not receive a grant unless the person or organisation enters into an agreement with the Minister in writing about the conditions on which the grant is to be made.

(2) The reference in subsection (1) to an agreement between the Minister and an organisation includes, for an unincorporated association, an agreement between the Minister and a person on behalf of the organisation.

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(3) An agreement mentioned in subsection (1)—

(a) if it relates to the provision of services—must state the objectives to be achieved by or in relation to the person receiving the services; and

(b) may include provisions relating to the payment by the grantee to the Minister of an amount equal to the amount of the grant or part of the grant if there is a contravention of a condition.

(4) An agreement mentioned in subsection (1) is subject to the condition that the grantee complies with guidelines (if any) mentioned in section 10 (1) (a) that apply to the grantee.

(5) A reference in an agreement mentioned in subsection (1) to a condition includes the condition mentioned in subsection (4).

8 Review of effectiveness of grants

At intervals not exceeding 5 years, the Minister must review the extent to which—

(a) a grantee has fulfilled the conditions of grants received by the grantee; and

(b) the objectives stated in the conditions of a grant have been achieved.

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Part 3 Official visitors

Note At least 1 official visitor must be appointed for this Act under the *Official Visitor Act 2012* (the **OV Act**).

The OV Act sets out the functions of official visitors which includes visiting visitable places, handling complaints from entitled people and reporting on those matters.

This part defines what is an ***entitled person*** and a ***visitable place*** for the OV Act. This part also prescribes other matters for the OV Act.

8A Definitions—pt 3

In this part:

associated—a specialist disability service provider is ***associated*** with a visitable place if the provider—

(a) is the operating entity for the place; or

(b) owns or rents the place; or

(c) provides a specialist disability service at the place.

entitled person means a person with disability.

official visitor, for a visitable place—see the *Official Visitor Act 2012*, section 6.

operating entity, for a visitable place—see the *Official Visitor Act 2012*, dictionary.

8B Meaning of *visitable place*—pt 3

(1) In this part:

visitable place—

(a) means accommodation provided to an entitled person for respite or long-term residential purposes; and

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(b) includes—

(i) accommodation that is owned, rented or operated by a specialist disability service provider; and

(ii) accommodation at which a specialist disability service provider provides a specialist disability service; and

(iii) a residential care home that accommodates the entitled person.

(2) However, a ***visitable place*** does not include the following accommodation provided to an entitled person:

(a) a private home if the person receives a specialist disability service at the home only from a person who is not a specialist disability service provider;

(b) a private home if the person lives in the home with at least 1 adult family member who does not receive a specialist disability service from a specialist disability service provider at the home;

(c) accommodation if the only specialist disability service the person receives at the accommodation is a type of service declared by the Minister not to require visitation;

(d) a residential care home if the person is 65 years old or older when they first receive a specialist disability service (whether at the facility or elsewhere).

(3) A declaration for subsection (2) (c) is a disallowable instrument.

(4) In this section:

family member, of a person, means—

(a) a domestic partner of the person; or

(b) a relative of the person; or

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(c) a child of a domestic partner or former domestic partner of the person; or

(d) a parent of a child of the person.

Note A ***domestic partner*** need not be an adult (see Legislation Act, s 169).

relative, of a person—

(a) means the person's—

(i) father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law; or

(ii) son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law; or

(iii) brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law; or

(iv) uncle, aunt, uncle-in-law or aunt-in-law; or

(v) nephew, niece or cousin; and

(b) if the person has or had a domestic partner (other than a spouse or civil union partner)—includes someone who would have been a relative mentioned in paragraph (a) if the person had been married to or in a civil union with the domestic partner; and

(c) if the person is an Aboriginal or Torres Strait Islander person, includes the following people:

(i) someone the person has responsibility for, or an interest in, in accordance with the traditions and customs of the person's Aboriginal or Torres Strait Islander community;

(ii) someone who has responsibility for, or an interest in, the person in accordance with the traditions and customs of the person's Aboriginal or Torres Strait Islander community.

residential care home means a residential care home under the *Aged Care Act 2024* (Cwlth).

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8C Entitled person may request not to be visited

(1) An entitled person at a visitable place may at any time ask the official visitor for the place, in writing, not to be visited at the place.

(2) On receipt of a request under subsection (1), the official visitor must not visit the entitled person other than under section 8D.

8D Complaint about disability service provided at place other than visitable place

(1) An entitled person at a visitable place may make a complaint to an official visitor for the place under the *Official Visitor Act 2012*, section 22 about a specialist disability service that is provided—

(a) at a place other than the visitable place; or

(b) if the person has asked the official visitor not to visit the person at the visitable place under section 8C—at the visitable place.

Example—place other than a visitable place

a private home where a specialist disability service is provided to an entitled person only by a close relative of the person

(2) The official visitor may—

(a) investigate the complaint; and

(b) visit the place where the service is provided.

(3) However, the official visitor may only visit a place mentioned in subsection (1)—

(a) if the entitled person consents to the visit; and

(b) at a reasonable time, unless the owner of, or entity operating, the place otherwise consents; and

(c) either—

(i) after giving the owner of, or entity operating, the place reasonable notice; or

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(ii) without giving notice if the official visitor reasonably believes that an entitled person at the place is at risk of harm.

(4) For subsection (3) (a), an entitled person ***consents*** to a visit to a place by an official visitor if—

(a) the official visitor has the entitled person's—

(i) written consent; or

(ii) oral consent, if a written record of the consent is made by a person who heard the consent being given; or

(b) the official visitor—

(i) has taken reasonable steps to find out if the entitled person consents; and

(ii) reasonably believes the entitled person may not be able to make a decision about consent or communicate that decision; and

(iii) reasonably believes that a visit to the place is necessary and appropriate to allow the official visitor to exercise the official visitor's functions under this Act and the *Official Visitor Act 2012*; and

(iv) the entitled person has not told, or otherwise indicated to, the official visitor that the person does not consent.

(5) If subsection (4) (b) applies and an official visitor visits a place, the official visitor must, as soon as practicable, take reasonable steps to make the entitled person aware that the place was visited.

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8E Information to be included on visitable places register

The following information must be included on the register under the *Official Visitor Act 2012*, section 23DB for a visitable place:

(a) the name and contact details of each specialist disability service provider associated with the place; and

(b) if a specialist disability service provider associated with a place is not an individual—the name, phone number and email address of the following:

(i) an employee or volunteer based at the place;

(ii) 2 employees of the provider.

8F Provider to give information about visitable place

(1) A specialist disability service provider associated with a visitable place must give the director-general, in writing, the information mentioned in section 8E within 5 days after becoming associated with the visitable place.

Maximum penalty: 10 penalty units.

(2) If any information given to the director-general under subsection (1) changes, the specialist disability service provider must give the director-general, in writing, the new information within 5 days after the information changes.

Maximum penalty: 10 penalty units.

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Part 5 Miscellaneous

9 Approval of activities

(1) The Minister may approve an activity for the dictionary, definition of ***research and development activity***, paragraph (h).

(2) An approval is a disallowable instrument.

10 Guidelines

(1) The Minister may issue guidelines, not inconsistent with this Act relating to—

(a) the making of grants; or

(b) the detailed application and implications of the principles set out in schedule 1 and the requirements set out in schedule 2.

(2) Without limiting subsection (1), guidelines may make provision in relation to—

(a) the terms and conditions on which a grant should be made; or

(b) the manner of calculating grants; or

(c) the timing of payments.

(3) A guideline must be of a general nature and must not be limited to apply only to a particular person or body.

(4) A guideline is a disallowable instrument.

11A Approved forms

(1) The Minister may approve forms for this Act.

(2) If the Minister approves a form for a particular purpose, the approved form must be used for that purpose.

(3) An approved form is a notifiable instrument.

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12 Regulation-making power

(1) The Executive may make regulations for this Act.

(2) A regulation may make provision in relation to standards mentioned in section 5A, including the following:

(a) the entities that must comply with the standards;

(b) performance measures for measuring compliance with the standards;

(c) the monitoring of compliance with the standards;

(d) the enforcement of compliance with the standards;

(e) the consequences of failing to comply with the standards.

(3) A regulation may create offences and fix maximum penalties of not more than 10 penalty units for the offences.

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Schedule 1 Human rights principles to be furthered in relation to people with disabilities

(see s 6 (2))

1 All people with disabilities are individuals who have the inherent right to respect for their human worth and dignity.

2 People with disabilities, whatever the origin, nature, type or degree of disability, have the same basic human rights as other members of society and should be enabled to exercise these basic human rights.

3 People with disabilities have the same rights as other members of society to realise their individual capacities for physical, social, emotional and intellectual development.

4 People with disabilities and carers of people with disabilities have the same right as other members of society to services that will support their attaining a reasonable quality of life.

5 People with disabilities have the same right as other members of society to make and actively participate in the decisions that affect their lives and are entitled to appropriate and necessary support to enable participation in, direction and implementation of the decisions that affect their lives.

6 People with disabilities have the same right as other members of society to receive services in a manner that results in the least restriction of their rights and opportunities.

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7 People with disabilities have the same right of pursuit of any grievance in relation to services as have other members of society.

8 People with disabilities who wish to pursue a grievance also have the right to—

(a) adequate support to enable pursuit of the grievance; and

(b) be able to pursue the grievance without fear of discontinuation of services or recrimination from any person or agency who may be affected by or involved in the pursuit of the grievance.

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Schedule 2 Requirements to be complied with in relation to the design and implementation of programs and services relating to people with disabilities

(see s 6 (2))

1 Services should have as their focus the achievement of a better quality of life for people with disabilities, such as increased independence, education and employment opportunities and integration into the community.

2 Services should contribute to ensuring that the conditions of everyday life of people with disabilities are the same as, or as close as possible to, the conditions of everyday life enjoyed in the general community.

3 Services should be provided as part of local coordinated service systems and be integrated with services generally available to members of the community where possible.

4 Services should be tailored to meet the individual needs and goals of people with disabilities.

5 Programs and services should be designed and administered to meet the needs of people with disabilities who may experience additional disadvantage because of their sex, sexuality, ethnic origin, physical isolation or Aboriginality.

6 Programs and services should be designed and administered so as to promote recognition of the competence of, and enhance the image of, people with disabilities.

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7 Programs and services should be designed and administered so as to promote the participation of people with disabilities in the life of the local community through maximum physical and social integration in that community.

8 Programs and services should be designed and administered so as to ensure that no single organisation providing services exercises control over all or most aspects of the life of a person with disabilities.

9 Organisations providing services, whether those services are provided specifically to people with disabilities or generally to the community, should make available information from which the quality of their services can be judged.

10 Programs and services should be designed and administered so as to provide opportunities for people with disabilities to reach goals and enjoy lifestyles that are valued by the community generally and are appropriate to their age.

11 Services should be designed and administered so as to ensure that people with disabilities have access to advocacy support where necessary to ensure adequate participation in decision making about the services they receive.

12 Programs and services should be designed and administered so as to ensure that appropriate avenues exist for people with disabilities to raise and have resolved any grievances about services.

13 Services should be designed and administered so as to provide people with disabilities with, and encourage them to make use of, avenues for continuing participation in the planning and operation of services that they receive. In particular, programs and services provided to people with disabilities by the Territory and organisations should provide opportunities for consultation in relation to the development of major policy and program changes.

14 Programs and services should be designed and administered so as to respect the rights of people with disabilities to privacy and confidentiality.

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Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- administrative unit
- body
- disallowable instrument
- domestic partner
- may (see s 146)
- Minister
- must (see s 146)
- person (see s 160)
- territory authority.

associated, with a visitable place, for part 3 (Official visitors)—see section 8A.

disability, in respect of a person, means a disability—

(a) that is attributable to an intellectual, psychiatric, sensory or physical impairment or a combination of those impairments; and

(b) that is permanent or likely to be permanent; and

(c) that results in—

(i) a substantially reduced capacity of the person for communication, learning or mobility; and

(ii) the need for continuing support services; and

(d) that may or may not be of a chronic episodic nature.

entitled person, for part 3 (Official visitors)—see section 8A.

grant means a grant under section 6 (1).

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grantee, for an agreement entered into by a person on behalf of an organisation that is an unincorporated association, means the organisation and the person, separately.

official visitor, for part 3 (Official visitors)—see section 8A.

operating entity, for a visitable place, for part 3 (Official visitors)—see section 8A.

organisation—

(a) means a body (whether or not incorporated); and

(b) includes—

(i) an administrative unit; and

(ii) a territory authority.

provider of services means—

(a) a person who provides services to a person with disabilities (whether or not those people are related); or

(b) an organisation that provides services to people with disabilities.

research and development activity means—

(a) research in relation to the provision of services for people with disabilities; or

(b) investigation of the need for services for people with disabilities; or

(c) investigation of the effects of providing services to people with disabilities; or

(d) planning for provision of services for people with disabilities; or

(e) the development of proposals for the provision of services for people with disabilities; or

(f) the initiation of services for people with disabilities; or

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(g) the development or implementation of training programs for—

(i) people engaged in the provision of services; or

(ii) the families of, and other people who provide care for or assistance to, people with disabilities; or

(h) any other activities approved under section 9.

researcher means a person, or an organisation, conducting research and development activities.

specialist disability service—see section 4 (1).

specialist disability service provider—see section 5 (1).

visitable place, for part 3 (Official visitors)—see section 8B.

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Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act
AF = Approved form
am = amended
amdt = amendment
AR = Assembly resolution
ch = chapter
CN = Commencement notice
def = definition
DI = Disallowable instrument
dict = dictionary
disallowed = disallowed by the Legislative Assembly
div = division
exp = expires/expired
Gaz = gazette
hdg = heading
IA = Interpretation Act 1967
ins = inserted/added
LA = Legislation Act 2001
LR = legislation register
LRA = Legislation (Republication) Act 1996
mod = modified/modification
NI = Notifiable instrument
o = order
om = omitted/repealed
ord = ordinance
orig = original
par = paragraph/subparagraph
pres = present
prev = previous
(prev...) = previously
pt = part
r = rule/subrule
reloc = relocated
renum = renumbered
R[X] = Republication No
RI = reissue
s = section/subsection
sch = schedule
sdiv = subdivision
SL = Subordinate law
sub = substituted
underlining = whole or part not commenced or to be expired

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3 Legislation history

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

Disability Services Act 1991 A1991-98
notified 24 December 1991 (Gaz 1991 No S155)
s 1, s 2 commenced 24 December 1991 (s 2 (1))
remainder commenced 24 June 1992 (s 2 (3))

as amended by

Statute Law Revision (Miscellaneous Provisions) Act 1992 A1992-23 sch 1
notified 4 June 1992 (Gaz 1992 No S71)
commenced 4 June 1992

Acts Revision (Position of Crown) Act 1993 A1993-44 sch 2
notified 27 August 1993 (Gaz 1993 No S165)
commenced 27 August 1993 (s 2)

Public Sector Management (Consequential and Transitional Provisions) Act 1994 A1994-38 sch 1 pt 27
notified 30 June 1994 (Gaz 1994 No S121)
s 1, s 2 commenced 30 June 1994 (s 2 (1))
sch 1 pt 27 commenced 1 July 1994 (s 2 (2) and Gaz 1994 No S142)

Legislation (Consequential Amendments) Act 2001 A2001-44 pt 104
notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 104 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Sexuality Discrimination Legislation Amendment Act 2004 A2004-2 sch 2 pt 2.2
notified LR 18 February 2004
s 1, s 2 commenced 18 February 2004 (LA s 75 (1))
sch 2 pt 2.2 commenced 22 March 2004 (s 2 and CN2004-4)

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Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.29
notified LR 22 March 2007
s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))
sch 3 pt 3.29 commenced 12 April 2007 (s 2 (1))

Statute Law Amendment Act 2011 A2011-3 sch 3 pt 3.13
notified LR 22 February 2011
s 1, s 2 commenced 22 February 2011 (LA s 75 (1))
sch 3 pt 3.13 commenced 1 March 2011 (s 2)

Official Visitor Act 2012 A2012-33 sch 1 pt 1.3
notified LR 15 June 2012
s 1, s 2 commenced 15 June 2012 (LA s 75 (1))
sch 1 pt 1.3 commenced 1 September 2013 (s 2 (as am by A2013-22 s 4))

Disability Services Amendment Act 2013 A2013-8
notified LR 6 March 2013
s 1, s 2 commenced 6 March 2013 (LA s 75 (1))
remainder commenced 7 March 2013 (s 2)

Official Visitor Amendment Act 2013 A2013-22 sch 1 pt 1.3
notified LR 17 June 2013
s 1, s 2 commenced 17 June 2013 (LA s 75 (1))
sch 1 pt 1.3 commenced 1 September 2013 (s 2 and see Official Visitor Act 2012 A2012-33 s 2 as am by this Act)

Disability Services (Disability Service Providers) Amendment Act 2014 A2014-27
notified LR 12 June 2014
s 1, s 2 commenced 12 June 2014 (LA s 75 (1))
remainder commenced 1 July 2014 (s 2)

Disability Services Amendment Act 2018 A2018-50
notified LR 6 December 2018
s 1, s 2 commenced 6 December 2018 (LA s 75 (1))
remainder commenced 7 December 2018 (s 2)

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Official Visitor Amendment Act 2019 A2019-29 sch 1 pt 1.3
notified LR 2 October 2019
s 1, s 2 commenced 2 October 2019 (LA s 75 (1))
amdt 1.8 commenced 2 April 2020 (s 2 (1) and LA s 79)
sch 1 pt 1.3 remainder commenced 3 October 2019 (s 2 (2))

Justice and Community Safety Legislation Amendment Act 2025 (No 3) A2025-22 sch 1 pt 1.2
notified LR 12 September 2025
s 1, s 2 commenced 12 September 2025 (LA s 75 (1))
sch 1 pt 1.2 commenced 1 November 2025 (s 2 (3) (a) and see Aged Care Act 2024 (Cwlth) s 7)

Statute Law Amendment Act 2025 A2025-29 sch 4 pt 4.56
notified LR 6 November 2025
s 1, s 2 commenced 6 November 2025 (LA s 75 (1))
sch 4 pt 4.56 commenced 16 December 2025 (s 2 (6))

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4 Amendment history

Preliminary
pt 1 hdg — ins A2012-33 amdt 1.21

Name of Act
s 1 — sub A2007-3 amdt 3.150

Dictionary
s 2 — om A2001-44 amdt 1.1118
ins A2007-3 amdt 3.150

Notes
s 2A — ins A2007-3 amdt 3.150

Objects
s 3 — am A2011-3 amdt 3.161, amdt 3.162; A2014-27 s 4

Specialist disability services
pt 1A hdg — ins A2014-27 s 5

What is a *specialist disability service*?
s 4 — defs reloc to dict A2007-3 amdt 3.151
om A2007-3 amdt 3.152
ins A2014-27 s 5
am A2025-29 amdt 4.56

Who is a *specialist disability service provider*?
s 5 — om A1993-44 sch 2
ins A2014-27 s 5

Approval of standards
s 5A — ins A2014-27 s 5
am A2025-29 amdt 4.56

Financial Assistance
pt 2 hdg — ins A2012-33 amdt 1.22

Financial assistance for providers of services
s 6 — am A2011-3 amdt 3.163; A2013-8 s 4; A2012-33 amdt 1.23; A2013-22 amdt 1.11; A2014-27 s 6, s 7

Conditions of grants
s 7 hdg — sub A2011-3 amdt 3.164
s 7 — am A2011-3 amdts 3.165-3.168; A2013-8 s 5; A2014-27 s 8

Review of effectiveness of grants
s 8 — sub A2011-3 amdt 3.169

Official visitors
pt 3 hdg — ins A2012-33 amdt 1.24
note am A2013-22 amdt 1.12
sub A2018-50 s 4

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Definitions—pt 3

s 8A ins A2012-33 amdt 1.24
sub A2013-22 amdt 1.13
am A2014-27 s 9, s 10
sub A2018-50 s 4
def ***associated*** ins A2018-50 s 4
def ***entitled person*** ins A2018-50 s 4
def ***official visitor*** ins A2018-50 s 4
sub A2019-29 amdt 1.5
def ***operating entity*** ins A2018-50 s 4

Meaning of *visitable place*—pt 3

s 8B ins A2012-33 amdt 1.24
am A2013-22 amdts 1.14-1.16; A2014-27 s 11
sub A2018-50 s 4
am A2025-22 amdts 1.2-1.4; A2025-29 amdt 4.56

Entitled person may request not to be visited

s 8C ins A2012-33 amdt 1.24
sub A2013-22 amdt 1.17
am A2014-27 s 12
sub A2018-50 s 4
am A2019-29 amdt 1.6

Disability accommodation

pt 4 hdg ins A2012-33 amdt 1.25
om A2018-50 s 4

Complaint about disability service provided at place other than visitable place

s 8D ins A2012-33 amdt 1.25
sub A2018-50 s 4
am A2019-29 amdt 1.7, amdt 1.8
def ***applicant*** ins A2012-33 amdt 1.25
om A2018-50 s 4
def ***reviewable decision*** ins A2012-33 amdt 1.25
om A2018-50 s 4

Information to be included on visitable places register

s 8E ins A2012-33 amdt 1.25
am A2013-22 amdt 1.18
sub A2018-50 s 4; A2019-29 amdt 1.9

Provider to give information about visitable place

s 8F ins A2012-33 amdt 1.25
sub A2018-50 s 4
am A2019-29 amdt 1.10

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Reviewable decision notice

s 8G ins A2012-33 amdt 1.25
om A2018-50 s 4

Applications for review

s 8H ins A2012-33 amdt 1.25
om A2018-50 s 4

Miscellaneous

pt 5 hdg ins A2012-33 amdt 1.26

Approval of activities

s 9 am A1992-23 sch 1; A2001-44 amdt 1.1119, amdt 1.1120; A2011-3 amdt 3.170; A2025-29 amdt 4.56

Guidelines

s 10 am A2001-44 amdt 1.1121, amdt 1.1122; A2011-3 amdt 3.171, amdt 3.172; A2025-29 amdt 4.56

Disability service standards

s 11 exp 1 January 1995 (s 11 (1))
ins A2013-8 s 6
om A2014-27 s 13

Approved forms

s 11A ins A2013-22 amdt 1.19
am A2025-29 amdt 4.56

Regulation-making power

s 12 ins A2013-8 s 6
am A2014-27 s 14; A2025-29 amdt 4.56

Transitional—Disability Services Amendment Act 2018

pt 10 hdg ins A2018-50 s 5
exp 7 June 2019 (s 52)

Definitions—pt 10

s 50 ins A2018-50 s 5
exp 7 June 2019 (s 52)
def ***associated*** ins A2018-50 s 5
exp 7 June 2019 (s 52)
def ***commencement day*** ins A2018-50 s 5
exp 7 June 2019 (s 52)
def ***old register*** ins A2018-50 s 5
exp 7 June 2019 (s 52)
def ***new register*** ins A2018-50 s 5
exp 7 June 2019 (s 52)

Register of approved disability accommodation

s 51 ins A2018-50 s 5
exp 7 June 2019 (s 52)

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Expiry—pt 10

s 52 ins A2018-50 s 5
exp 7 June 2019 (s 52)

Requirements to be complied with in relation to the design and implementation of programs and services relating to people with disabilities

sch 2 am A2004-2 amdt 2.3; A2014-27 s 15

Dictionary

dict ins A2007-3 amdt 3.153
am A2011-3 amdt 3.173; A2012-33 amdt 1.29; A2013-22 amdt 1.20; A2018-50 s 6
def ***applicant*** ins A2012-33 amdt 1.30
om A2018-50 s 7
def ***associated*** ins A2018-50 s 8
def ***disability*** reloc from s 4 A2007-3 amdt 3.151
def ***disability accommodation*** ins A2012-33 amdt 1.31
om A2018-50 s 9
def ***entitled person*** ins A2012-33 amdt 1.31
sub A2018-50 s 10
def ***grant*** am A1992-23 sch 1
reloc from s 4 A2007-3 amdt 3.151
def ***grantee*** reloc from s 4 A2007-3 amdt 3.151
sub A2011-3 amdt 3.174
def ***official visitor*** ins A2013-22 amdt 1.21
sub A2018-50 s 10
def ***operating entity*** ins A2014-27 s 16
sub A2018-50 s 10
def ***organisation*** am A1994-38 sch 1 pt 27
reloc from s 4 A2007-3 amdt 3.151
sub A2011-3 amdt 3.175
am A2014-27 s 17
def ***provider of services*** reloc from s 4 A2007-3 amdt 3.151
def ***research and development activity*** am A1992-23 sch 1
reloc from s 4 A2007-3 amdt 3.151
am A2011-3 amdt 3.176
def ***researcher*** reloc from s 4 A2007-3 amdt 3.151
def ***reviewable decision*** ins A2012-33 amdt 1.32
om A2018-50 s 11
def ***specialist disability service*** ins A2014-27 s 18
def ***specialist disability service provider*** ins A2014-27 s 18
def ***visitable place*** ins A2012-33 amdt 1.33
sub A2018-50 s 12

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5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	A1993-44	31 August 1993
2	A1994-38	1 March 1999
3	A2001-44	4 April 2002
4	A2004-2	22 March 2004
5	A2007-3	12 April 2007
6	A2011-3	1 March 2011
7	A2013-8	7 March 2013
8	A2013-22	1 September 2013
9	A2014-27	1 July 2014
10	A2018-50	7 December 2018
11	A2018-50	8 June 2019
12	A2019-29	1 December 2019
13	A2019-29	2 April 2020
14	A2025-22	1 November 2025

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6 Expired transitional or validating provisions

This Act may be affected by transitional or validating provisions that have expired. The expiry does not affect any continuing operation of the provisions (see *Legislation Act 2001*, s 88 (1)).

Expired provisions are removed from the republished law when the expiry takes effect and are listed in the amendment history using the abbreviation 'exp' followed by the date of the expiry.

To find the expired provisions see the version of this Act before the expiry took effect. The ACT legislation register has point-in-time versions of this Act.

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