



Australian Capital Territory

Disability Services Amendment Act 2013

A2013-8

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au



Australian Capital Territory

Disability Services Amendment Act 2013

A2013-8

An Act to amend the *Disability Services Act 1991*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Disability Services Amendment Act 2013*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Disability Services Act 1991*.

Note This Act also amends the *Human Rights Commission Act 2005* (see s 7).

**4 Financial assistance for providers of services
Section 6 (2) (b)**

after

schedule 2

insert

and any relevant standards approved under section 11 (Disability service standards)

**5 Conditions of grants
Section 7 (4)**

substitute

- (4) An agreement mentioned in subsection (1) is subject to the condition that the grantee complies with—
- (a) guidelines (if any) mentioned in section 10 (1) (a) that apply to the grantee; and
 - (b) standards (if any) mentioned in section 11 that apply to the grantee.

6 New sections 11 and 12

insert

11 Disability service standards

- (1) The Minister may approve standards about the provision of services for people with disabilities.

Note Power to make a statutory instrument includes power to make different provision for different categories (see [Legislation Act](#), s 48).

- (2) An approval or an approved standard may apply, adopt or incorporate an instrument as in force from time to time.
- (3) An approval is a disallowable instrument.

Note 1 A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

Note 2 An amendment or repeal of an approval is also a disallowable instrument (see [Legislation Act](#), s 46 (2)).

12 Regulation-making power

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

Note A regulation must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (2) A regulation may make provision in relation to standards mentioned in section 11, 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.

7 Human Rights Commission Act 2005, new section 40 (b) (va)

insert

- (va) standards (if any) approved under the *Disability Services Act 1991*, section 11 (Disability service standards);
-

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 29 November 2012.

2 Notification

Notified under the [Legislation Act](#) on 6 March 2013.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Disability Services Amendment Bill 2013, which originated in the Legislative Assembly as the Disability Services Amendment Bill 2012 (No 2) and was passed by the Assembly on 28 February 2013.

Clerk of the Legislative Assembly

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