

# **Disability Services Act**

## **EXPLANATORY MEMORANDUM**

### **OUTLINE**

This Bill makes provisions relating to the funding of services for people with disabilities and establishes a framework of principles and objectives for the provision and funding of services for persons with disabilities.

#### **NOTES ON CLAUSES**

*Clause 1* sets out the purposes of the Act.

*Clause 2* provides for the Act to come into operation on a day or days to be proclaimed.

*Clause 3* contains definitions of key terms used in the Bill.

*Clause 4* provides that the Minister may approve funding to providers of services for persons with disabilities, researchers or to a person with a disability and that, in approving such funding, the Minister must have regard to the furthering the objects contained in Schedule One of the Act. Providers of such services or researchers must, in providing the service or conducting research and development, further the principles and objectives contained in Schedules Two and Three of the Act.

*Clause 5* provides that the Minister, in approving funding under the Act, may require the provider or researcher to enter into an agreement about the terms and conditions. Terms and conditions may include outcomes to be achieved by, and the rights of, the persons being provided with services. Any such agreement must be in writing and signed by both parties.

*Clause 6* provides for the Minister to delegate any of his or her powers under the Act to the Director-General of Community Services or the Chief General Manager of the Department of Health (whichever may be relevant) with the exception of the power of delegation.

*Clause 7* provides that additions, amendments to, or repeal of, the principles and objectives contained in Schedules Two and Three may be made by the Governor in Council.

#### **SCHEDULES**

Schedule One contains a list of objectives which the Minister must have regard to furthering in approving funding.

Schedule Two provides a list of principles which are to be furthered in the delivery of services or research and development in relation to persons with disabilities.

Schedule Three contains a list of objectives to be furthered by providers of services or researchers in relation to persons with disabilities.

