Disability Inclusion Act 2014 No 41

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New South Wales

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- **Does not include amendments by**
  Government Sector Finance Legislation (Repeal and Amendment) Act 2018 No 70 (not commenced — to commence on 1.7.2023)

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Disability Inclusion Act 2014 No 41

New South Wales

Contents

Long title 5

Part 1 Preliminary 5

Division 1 Introduction 5

1 Name of Act 5

2 Commencement 5

Division 2 Objects and principles 5

3 Objects of Act 5

4 General principles 6

5 Principles recognising the needs of particular groups 7

6 Having regard to disability principles 8

Division 3 Interpretation 8

7 Definitions 8

Part 2 Disability planning 10

Division 1 Preliminary 10

8 Purpose of Part 10

9 Guidelines 10

Division 2 State Disability Inclusion Plan 10

10 Requirement for State Disability Inclusion Plan 10

11 Review and remake of plan 11

Division 3 Disability inclusion action plans 11

12 Requirement for disability inclusion action plans 11

13 Report on implementation of plans 12

14 Review and remake of plans 13

Part 3 Disability Council NSW 13

15 Continuation of Disability Council of New South Wales 13

16 Membership 13

17 Functions 14

18 Assistance to Disability Council 15

19 Reporting requirements 15

Part 4 Service standards and financial assistance 15

20 Disability service standards 15

21 Financial assistance to promote objects of Act 15

22 Secretary may require information 15

23 Protection from liability for giving information 16

Part 5 (Repealed) 16

Part 6 Miscellaneous 16

42 Act to bind Crown 16

43 Delegations 16

44 Proceedings for offence 17

45 Disclosure of information 17

46 Protection from personal liability 17

47 Sections 3–6 do not give rise to or affect a cause of action 17

48 (Repealed) 17

49 Regulations 17

50 (Repealed) 18

51 Review of Act 18

Schedule 1 Provisions relating to Disability Council 18

Schedules 2, 3 (Repealed) 20

Schedule 4 Savings, transitional and other provisions 20

Schedule 5 (Repealed) 23

Disability Inclusion Act 2014 No 41

New South Wales

An Act relating to the accessibility of mainstream services and facilities, the promotion of community inclusion and the provision of funding, support and services for people with disability; and for other purposes.

Part 1 Preliminary

Division 1 Introduction

1 Name of Act

This Act is the *Disability Inclusion Act 2014*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Division 2 Objects and principles

3 Objects of Act

The objects of this Act are as follows—

(a) to acknowledge that people with disability have the same human rights as other members of the community and that the State and the community have a responsibility to facilitate the exercise of those rights,

(b) to promote the independence and social and economic inclusion of people with disability,

(c) to enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports and services,

(d) to provide safeguards in relation to the delivery of supports and services for people with disability,

(e) to support, to the extent reasonably practicable, the purposes and principles of the *United Nations Convention on the Rights of Persons with Disabilities*,

(f) to provide for responsibilities of the State during and following the transition to the National Disability Insurance Scheme.

4 General principles

(1) For the purposes of this Act, the ***disability principles*** relating to people with disability are the general principles set out in this section.

(2) People with disability have an inherent right to respect for their worth and dignity as individuals.

(3) People with disability have the right to participate in and contribute to social and economic life and should be supported to develop and enhance their skills and experience.

(4) People with disability have the right to realise their physical, social, sexual, reproductive, emotional and intellectual capacities.

(5) People with disability have the same rights as other members of the community to make decisions that affect their lives (including decisions involving risk) to the full extent of their capacity to do so and to be supported in making those decisions if they want or require support.

(6) People with disability have the right to respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs.

(7) The right to privacy and confidentiality for people with disability is to be respected.

Note—

This principle does not affect the operation of Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*. The disability principles are principles that certain entities have regard to under this Act (see section 6).

(8) People with disability have the right to live free from neglect, abuse and exploitation.

(9) People with disability have the right to access information in a way that is appropriate for their disability and cultural background, and enables them to make informed choices.

(10) People with disability have the same right as other members of the community to pursue complaints.

(11) The crucial role of families, carers and other significant persons in the lives of people with disability, and the importance of preserving relationships with families, carers and other significant persons, is to be acknowledged and respected.

Note—

The NSW Carers Charter under the *Carers (Recognition) Act 2010* recognises the role and contribution of carers to our community and to the people they care for.

(12) The needs of children with disability as they mature, and their rights as equal members of the community, are to be respected.

(13) The changing abilities, strengths, goals and needs of people with disability as they age are to be respected.

5 Principles recognising the needs of particular groups

(1) For the purposes of this Act, the ***disability principles*** relating to people with disability also include the principles set out in this section.

(2) Supports and services provided to Aboriginal and Torres Strait Islander people with disability are to be provided in a way that—

(a) recognises that Aboriginal and Torres Strait Islander people have a right to respect and acknowledgment as the first peoples of Australia and for their unique history, culture and kinship relationships and connection to their traditional land and waters, and

(b) recognises that many Aboriginal and Torres Strait Islander people with disability may face multiple disadvantage, and

(c) addresses that disadvantage and the needs of Aboriginal and Torres Strait Islander people with disability, and

(d) is informed by working in partnership with Aboriginal and Torres Strait Islander people with disability to enhance their lives.

(3) Supports and services provided to people with disability from culturally and linguistically diverse backgrounds are to be provided in a way that—

(a) recognises that cultural, language and other differences may create barriers to providing the supports and services, and

(b) addresses those barriers and the needs of those people with disability, and

(c) is informed by consultation with their communities.

(4) Supports and services provided to women with disability are to be provided in a way that—

(a) recognises that women with disability may face multiple disadvantage and are potentially more vulnerable to risk of abuse or exploitation, and

(b) addresses that disadvantage and risk, and the needs of women with disability, and

(c) is informed by consultation with women with disability.

(5) Supports and services provided to children with disability are to be provided in a way that—

(a) recognises that a child with disability has the right to a full life in conditions that ensure the child's dignity, promote self-reliance and facilitate the child's active and full participation in family, cultural and social life, and

(b) recognises that children are more vulnerable to risk of abuse or exploitation, and

(c) addresses that right and risk, and ensures the best interests of the child is the primary concern in making decisions affecting the child while also respecting the responsibilities, rights and duties of a parent or other person legally responsible for the child in relation to giving appropriate direction and guidance for the child's welfare, and

(d) respects the views of the child with disability (having regard to the child's age and maturity).

(5A) Supports and services provided to LGBTIQ+ people with disability are to be provided in a way that—

(a) addresses the needs of LGBTIQ+ people with disability, and

(b) is informed by consultation with LGBTIQ+ people with disability.

(6) This section does not impose an obligation on anyone to provide supports and services.

6 Having regard to disability principles

A person exercising a function under this Act, or providing supports or services to people with disability in connection with the provision of financial assistance under Part 4, should have regard to the disability principles in the exercise of the function or the provision of the supports or services.

Division 3 Interpretation

7 Definitions

(1) In this Act—

carer means a carer within the meaning of the *Carers (Recognition) Act 2010*.

Department means the Department of Communities and Justice.

disability, in relation to a person, includes a long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others.

Disability Council—see section 15 (1).

disability inclusion action plan—see section 12 (1).

disability principles—see sections 4 and 5.

disability service standards—see section 20 (1).

function includes a power, authority or duty, and ***exercise*** a function includes perform a duty.

government department means a Department of the Public Service listed in Part 1 of Schedule 1 to the *Government Sector Employment Act 2013*.

National Disability Insurance Scheme means the National Disability Insurance Scheme under the *National Disability Insurance Scheme Act 2013* of the Commonwealth.

NDIS arrangements has the meaning it has in the *National Disability Insurance Scheme (NSW Enabling) Act 2013*.

public authority means all of the following—

(a) a government department,

(b) a local council,

(c) another entity prescribed by the regulations to be a public authority for the purposes of this definition.

Secretary means the Secretary of the Department.

service includes a service consisting of the supply of goods, whether or not provided with other services.

State Disability Inclusion Plan—see section 10 (1).

supports means assistance provided to a person with disability to do one or more of the following—

(a) to help the person undertake his or her day to day activities,

(b) to increase the person’s independence,

(c) to facilitate the person’s social and economic inclusion in the community.

(2) Notes included in this Act do not form part of this Act.

Part 2 Disability planning

Division 1 Preliminary

8 Purpose of Part

The purpose of this Part is to provide for—

(a) the making of a plan setting out a co-ordinated whole of government approach to creating a more inclusive community in which mainstream services and community facilities are accessible to people with disability to help them achieve their full potential, and

(b) the making of other plans setting out specific measures public authorities are to put in place in relation to people with disability.

9 Guidelines

(1) The Secretary may issue guidelines to assist public authorities to prepare a disability inclusion action plan.

(2) The Secretary must publish the guidelines on the Department's website.

Division 2 State Disability Inclusion Plan

10 Requirement for State Disability Inclusion Plan

(1) The Department must, from the day prescribed by the regulations, prepare and make a State plan (the ***State Disability Inclusion Plan***) that—

(a) sets out whole of government goals that support the inclusion in the community of people with disability and improve access to mainstream services and community facilities by people with disability, and

(b) provides for collaboration and co-ordination among government departments, local councils and other entities in the provision of supports and services.

(2) In preparing the State Disability Inclusion Plan, the Department must consult with—

(a) people with disability, and

(b) the Disability Council, and

(c) disability advocacy organisations.

(3) The Minister is to table a copy of the State Disability Inclusion Plan in each House of Parliament as soon as practicable after the day prescribed under subsection (1).

(4) The State Disability Inclusion Plan must not form part of another document.

(5) The Minister is to make the State Disability Inclusion Plan publicly available.

(6) The Minister must make the State Disability Inclusion Plan available in one or more formats accessible to people with disability.

11 Review and remake of plan

(1) The Minister is to review the State Disability Inclusion Plan before the end of each 4-year period after the day the Department is required to prepare and make the State Disability Inclusion Plan.

(2) The purpose of the review is to ensure that the whole of government goals set out in the State Disability Inclusion Plan continue to support the inclusion in the community of people with disability and to improve access to mainstream services and community facilities by people with disability.

(3) A report on the outcome of the review is to be tabled in each House of Parliament as soon as practicable after it is completed.

(4) Within 12 months after the tabling of the report, and having taken into account the recommendations made in the report, the Department must remake the State Disability Inclusion Plan, with or without variations.

(5) Section 10 applies to the remaking of the State Disability Inclusion Plan in the same way it applies to the making of the State Disability Inclusion Plan.

Division 3 Disability inclusion action plans

12 Requirement for disability inclusion action plans

(1) Each public authority must, from the day prescribed by the regulations, prepare and make a plan (a ***disability inclusion action plan***) setting out the measures it intends to put in place (in connection with the exercise of its functions) so that people with disability can access general supports and services available in the community, and can participate fully in the community.

(2) In preparing its disability inclusion action plan, a public authority—

(a) must consult with people with disability and have regard to any guidelines issued under section 9, and

(b) may consult with individuals or other entities the authority considers appropriate, including the Disability Council.

(3) A disability inclusion action plan must—

(a) specify how the public authority proposes to have regard to the disability principles in its dealings with matters relating to people with disability, and

(b) include strategies to support people with disability, including, for example, strategies about the following—

(i) providing access to buildings, events and facilities,

(ii) providing access to information,

(iii) accommodating the specific needs of people with disability,

(iv) supporting employment of people with disability,

(v) encouraging and creating opportunities for people with disability to access the full range of services and activities available in the community, and

(c) include details of the authority's consultation about the plan with people with disability, and

(d) explain how the plan supports the goals of the State Disability Inclusion Plan, and

(e) include any other matters prescribed by the regulations.

(4) A disability inclusion action plan may be a document or part of a document prepared for another purpose if the Secretary is satisfied the document or part fulfils the requirements of subsections (1) and (3).

(5) A public authority must, as soon as practicable after the day it is required to prepare and make a disability inclusion action plan—

(a) give a copy of the plan to the Disability Council, and

(b) make the plan publicly available, and

(c) make the plan available in one or more formats accessible to people with disability.

13 Report on implementation of plans

(1) A public authority that is a government department or local council must, as soon as practicable after preparing its annual report, give the Minister a copy of the part of the annual report relating to the department's or council's report on the implementation of its disability inclusion action plan.

(2) A public authority that is not a government department or local council must, as soon as practicable after the end of each financial year, give the Minister a report relating to the authority's implementation of its disability inclusion action plan during the financial year.

(3) The Minister is to table a report about the implementation of disability inclusion action plans in each House of Parliament as soon as practicable after the end of each

financial year.

(4) In this section—

annual report means—

(a) of a government department—its annual report under the *Annual Reports (Departments) Act 1985*, and

(b) of a local council—its annual report under the *Local Government Act 1993*.

14 Review and remake of plans

(1) A public authority must review its disability inclusion action plan before the end of each 4-year period after the day the authority is required to prepare and make the disability inclusion action plan.

(2) The purpose of the review is to ensure the disability inclusion action plan fulfils the requirements of section 12 (1) and (3).

(3) In reviewing its disability inclusion action plan, the public authority must consult with people with disability and have regard to any guidelines issued under section 9.

(4) Within 12 months after the completion of the review, and having taken into account the recommendations made in the review, the public authority must remake the disability inclusion action plan, with or without variations.

(5) Section 12 applies to the remaking of the disability inclusion action plan in the same way it applies to the making of the disability inclusion action plan.

Part 3 Disability Council NSW

15 Continuation of Disability Council of New South Wales

(1) The former council is continued in existence under the name Disability Council NSW (the ***Disability Council***).

(2) In this section—

former council means the Disability Council of New South Wales established under section 16 of the *Community Welfare Act 1987*.

16 Membership

(1) The Disability Council consists of at least 8 but not more than 12 persons appointed by the Governor.

(2) The members of the Disability Council must include—

(a) members of, or persons employed by, organisations concerned especially with the

interests of people with disability, and

(b) other persons with appropriate skills and experience in matters relevant to the interests of people with disability.

(3) The majority of members of the Disability Council must be people with disability.

(4) There is to be a chairperson and a deputy chairperson of the Disability Council.

(5) The chairperson is the member who—

(a) is a person with disability, and

(b) has the qualifications or experience, and is appointed in the way, prescribed by the regulations.

(6) The deputy chairperson is the member appointed as the deputy chairperson in the way prescribed by the regulations.

(7) Schedule 1 contains provisions relating to the membership and procedure of the Disability Council.

17 Functions

(1) The Disability Council has the following functions—

(a) to monitor the implementation of government policy in relation to people with disability and their families,

(b) to advise the Minister on emerging issues relating to people with disability,

(c) to advise public authorities about the content and implementation of disability inclusion action plans,

(d) to advise the Minister about the content and implementation of the State Disability Inclusion Plan and disability inclusion action plans,

(e) to promote the inclusion of people with disability in the community,

(f) to promote community awareness of matters concerning the interests of people with disability and their families,

(g) to consult with the National People with Disabilities and Carer Council and other similar bodies,

(h) to consult with people with disability and undertake research about matters relating to people with disability,

(i) any other functions prescribed by the regulations.

(2) For the purpose of exercising its functions, the Disability Council may request information or advice from any public authority.

(3) A public authority to which a request for information or advice is made is authorised to comply with the request.

18 Assistance to Disability Council

The Minister may give assistance, including financial assistance, to the Disability Council to ensure the proper exercise of its functions.

19 Reporting requirements

(1) The Disability Council must, if required by the Minister, give the Minister a report about the exercise of its functions.

(2) The report must include information about the matters directed by the Minister.

(3) The report may contain other information or advice the Disability Council considers appropriate.

Part 4 Service standards and financial assistance

20 Disability service standards

(1) The regulations may make provision for or about standards (***disability service standards***) relating to the provision of supports and services for people with disability to improve the quality and effectiveness of the supports and services.

(2) The Secretary must make the disability service standards publicly available.

21 Financial assistance to promote objects of Act

(1) The Secretary may provide financial assistance to a government department, local council or another entity for the purpose of promoting the objects of this Act.

(2) The financial assistance may be provided, as the Secretary considers appropriate—

(a) subject to conditions or unconditionally, and

(b) in relation to a particular matter.

22 Secretary may require information

(1) This section applies if the Secretary reasonably believes a person receiving, or seeking to receive, financial assistance under section 21 has information or a document in the person’s possession or control relating to—

(a) the provision of the financial assistance, or

(b) obtaining or providing supports or services with the financial assistance, or

(c) compliance with an agreement entered into with the Secretary in relation to the financial assistance.

(2) The Secretary may, by notice given to the person, require the person to give the information or document to the Secretary.

(3) The notice must specify—

(a) the nature of the information or document, and

(b) how the person must give the information or document, and

(c) the reasonable period, of at least 14 days, within which the information or document must be given.

(4) The person must comply with the notice.

Note—

It is an offence under the *Crimes Act 1900*, section 307B to give false or misleading information to a person exercising a power, authority, duty or function under, or in connection with, a law of the State.

23 Protection from liability for giving information

If a person, acting in good faith, gives information or a document in accordance with a requirement under section 22, the person—

(a) is not liable to civil or criminal action for giving the information or document, and

(b) cannot be held to have breached a code of professional etiquette or ethics or departed from accepted standards of professional conduct as a result of giving the information or document.

Part 5

24–41 (Repealed)

Part 6 Miscellaneous

42 Act to bind Crown

This Act binds the Crown in right of New South Wales and, in so far as the legislative power of the Parliament of New South Wales permits, the Crown in all its other capacities.

43 Delegations

(1) The Minister may delegate to the Secretary any of the Minister’s functions under this Act, other than this power of delegation.

(2) The Secretary may delegate to an appropriately qualified employee of the Department any of the Secretary's functions under this Act.

(3) However, the Secretary may delegate a function delegated to the Secretary under subsection (1) only if authorised in writing to do so by the Minister.

44 Proceedings for offence

Proceedings for an offence under this Act may be dealt with summarily before the Local Court.

45 Disclosure of information

A person must not disclose information obtained in connection with the administration or execution of this Act unless the disclosure is made—

(a) with the consent of the person from whom the information was obtained, or

(b) in connection with the administration or execution of this Act, or

(c) for the purposes of legal proceedings arising out of this Act or of any report of the proceedings, or

(d) in accordance with a requirement imposed under the *Ombudsman Act 1974*, or

(e) with other lawful excuse.

Maximum penalty—50 penalty units.

46 Protection from personal liability

A matter or thing done or omitted to be done by the Minister or another person does not, if the matter or thing was done or omitted to be done in good faith for the purpose of executing this Act, subject the Minister or person so acting personally to any action, liability, claim or demand.

47 Sections 3–6 do not give rise to or affect a cause of action

(1) Nothing in sections 3–6 nor in any application of those sections by this Act gives rise to, or can be taken into account in, any civil cause of action.

(2) (Repealed)

48 (Repealed)

49 Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

50 (Repealed)

51 Review of Act

(1) The Minister is to review this Act to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives.

(2) The review is to be undertaken as soon as possible after the period of 4 years from the date of assent to this Act.

(3) A report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the period of 4 years.

Schedule 1 Provisions relating to Disability Council

(Section 16 (7))

Part 1 General

1 Definitions

In this Schedule—

council means the Disability Council.

member means a member of the council.

Part 2 Members

2 Terms of office of members, chairperson and deputy chairperson

(1) A member holds office for the period (not exceeding 4 years) specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for re-appointment.

(2) The chairperson and deputy chairperson of the council each hold office for the period (not more than one year) specified in the chairperson's or deputy chairperson's instrument of appointment, but are eligible for re-appointment.

(3) This clause applies subject to this Schedule and the regulations.

3 Remuneration of members

A member is entitled to be paid the remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

4 Vacancy in office of member

(1) The office of a member becomes vacant if the member—

(a) dies, or

(b) completes a term of office and is not re-appointed, or

(c) resigns the office by instrument in writing addressed to the Minister, or

(d) is removed from office by the Governor, or

(e) is absent from 4 consecutive meetings of the council of which reasonable notice has been given to the member personally or by post, except on leave granted by the council or unless the member is excused by the council for having been absent from those meetings, or

(f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or

(g) can no longer exercise the functions of a member, or

(h) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.

(2) The Governor may remove a member from office at any time.

5 Filling of vacancy in office of member

If the office of any member becomes vacant, a person is, subject to this Act, to be appointed to fill the vacancy.

6 Effect of certain other Acts

(1) The provisions of the *Government Sector Employment Act 2013* relating to the employment of Public Service employees do not apply to or in respect of the appointment of a member.

(2) If by or under any Act provision is made—

(a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or

(b) prohibiting the person from engaging in employment outside the duties of that office,

the provision does not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any allowance payable to the person under this Act as a member.

Part 3 Procedure

7 General procedure

The procedure for calling meetings of the council and for the conduct of business at the meetings is, subject to this Schedule and the regulations, to be determined by the council.

8 Quorum

The quorum for a meeting of the council is a majority of the members (including the chairperson) for the time being.

9 Presiding member

(1) The chairperson of the council is to preside at a meeting of the council.

(2) In the absence of the chairperson, the deputy chairperson is to preside at a meeting of the council.

(3) In the absence of the chairperson and the deputy chairperson, a member elected to chair the meeting by the members present is to preside at a meeting of the council.

(4) The person presiding has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

10 Voting

A decision supported by a majority of the votes cast at a meeting of the council at which a quorum is present is the decision of the council.

11 First meeting

The Minister may call the first meeting of the council in such manner as the Minister thinks fit.

Schedules 2, 3 (Repealed)

Schedule 4 Savings, transitional and other provisions

Part 1 General

1 Regulations

(1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act or any Act that amends this Act.

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or a later date.

(3) To the extent to which any such provision takes effect from a date that is earlier than

the date of its publication on the NSW legislation website, the provision does not operate so as—

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication, or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.

Part 2 Provisions consequent on enactment of this Act

2 Definition

In this Part—

repealed Act means the repealed *Disability Services Act 1993*.

3 Application of provisions about probity checks

(1) Section 32 of this Act does not apply to an organisation receiving financial assistance under Division 2 of Part 2 of the repealed Act immediately before the commencement of section 32 of this Act until the day (not more than one year after that commencement) prescribed by the regulations.

(2) Section 36 of this Act does not apply to the Secretary until the day (not more than one year after the commencement of that section) prescribed by the regulations.

4 Continuation of financial assistance and agreements

(1) An individual or organisation receiving financial assistance under Division 2 of Part 2 of the repealed Act immediately before the commencement of section 29 of this Act is taken to be receiving the financial assistance under this Act.

(2) Unless the regulations otherwise provide, the financial assistance is provided subject to—

(a) the conditions to which the provision of the assistance was subject immediately before that commencement, and

(b) for assistance provided to an organisation—the prescribed conditions.

(3) For the purposes of this Act, and subject to subclause (2), an agreement entered into with the Minister under section 17 of the repealed Act and in force immediately before the commencement of section 29 of this Act—

(a) is taken to be an agreement entered into with the Secretary under—

(i) if the agreement was entered into with an individual—section 28 of this Act, or

(ii) if the agreement was entered into with an organisation—section 30 of this Act, and

(b) is taken to comply with any requirements relating to the agreement under section 28 or 30.

(4) This clause is subject to clause 3.

5 Membership of Disability Council

(1) A person who was a member of the former council immediately before the commencement of section 15 of this Act is taken to be a member of the Disability Council.

(2) The person who was chairperson of the former council immediately before that commencement is taken to be the chairperson of the Disability Council.

(3) The person who was deputy chairperson of the former council immediately before that commencement is taken to be the deputy chairperson of the Disability Council.

(4) The term of office, as a member of the Disability Council, of a person referred to in subclause (1) ends on the day it would have ended under the person's instrument of appointment to the former council, unless sooner ended under this Act.

(5) The term of office, as the chairperson or deputy chairperson of the Disability Council, of a person referred to in subclause (2) or (3) ends on the day a member of the Disability Council is first appointed as the chairperson or deputy chairperson under this Act.

(6) A person referred to in subclause (2) or (3) may be re-appointed as the chairperson or deputy chairperson of the Disability Council.

(7) In this clause—

former council has the meaning it has in section 15 (2).

6 Schemes relating to residents' amenities accounts

A scheme approved by the Minister under clause 2 of Schedule 3 to the repealed Act and in effect immediately before the commencement of Schedule 3 to this Act is taken to be a scheme approved by the Secretary under clause 2 of Schedule 3 to this Act.

Part 3 Provisions consequent on enactment of Disability Inclusion Amendment Act 2022

7 Definitions

In this Part—

amending Act means the *Disability Inclusion Amendment Act 2022*.

commencement date means the date of assent to the amending Act.

repealed, in relation to a provision, means the provision as in force immediately before its repeal by the amending Act.

8 Continuation of financial assistance

An arrangement for a government department, local council or other entity to receive financial assistance under repealed section 37 continues—

(a) as if the arrangement had been made under section 21, as inserted by the amending Act, and

(b) subject to the conditions of the Secretary in place immediately before the commencement date.

9 Notice to give information remains in force

A notice issued by the Secretary under repealed section 38 and in force immediately before the commencement date continues as if it had been issued under section 22 as in force on the commencement date.

10 Accessible format of plans

Sections 10(6) and 12(5)(c), as inserted by the amending Act, apply only to a State Disability Inclusion Plan or disability inclusion action plan made or remade after the commencement date.

11 Period of review for certain disability inclusion action plans

Despite section 14(1), a disability inclusion action plan made or remade by a local council in 2017 must be reviewed before the end of 30 November 2022.

Schedule 5 (Repealed)