

# Disability Inclusion Regulation 2014

[2014-751]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 July 2022 to 31 August 2023 (accessed 1 December 2023 at 14:12)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Editorial note**

The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-dashes. Text of the legislation is not affected.

This version has been updated.

- **Repeal**

This Regulation was repealed by the [Subordinate Legislation Act 1989 No 146](#), sec 10(2) with effect from 1.9.2023.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2023

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New South Wales

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# Disability Inclusion Regulation 2014



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Disability Inclusion Regulation 2014*.

### 2 Commencement

This Regulation commences on 3 December 2014 and is required to be published on the NSW legislation website.

### 3 Definition

(1) In this Regulation—

**the Act** means the *Disability Inclusion Act 2014*.

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

### 4 (Repealed)

### 5 Entities included in definition of “public authority”

For the purposes of the definition of **public authority** in section 7 (1) of the Act, the following entities are prescribed—

- (a) Australian Museum Trust,
- (b) Destination NSW,
- (c) Library Council of New South Wales,
- (d) Office of Finance and Services.

## Part 2 Disability planning

### 6 Day by which State Disability Inclusion Plan required

For the purposes of section 10 (1) of the Act, the prescribed day is 1 July 2015.

## **7 Days by which disability inclusion action plans required**

For the purposes of section 12 (1) of the Act, the prescribed day in respect of a public authority is as follows—

- (a) for a government department—1 December 2015,
- (b) for a local council—1 July 2017,
- (c) for an entity prescribed as a public authority under paragraph (c) of the definition of **public authority** in section 7 (1) of the Act on the commencement of this Regulation—1 December 2015,
- (d) for an entity prescribed as a public authority under paragraph (c) of the definition of **public authority** in section 7 (1) of the Act after the commencement of this Regulation—the day that is 6 months after the day on which it was so prescribed.

## **Part 3 Service standards**

### **8 Disability service standards**

For the purposes of section 20 of the Act, the disability service standards are—

- (a) the standards set out in Schedule 1, or
- (b) in such circumstances as the Secretary may determine in relation to a particular eligible entity or class of eligible entities—comparable standards of another jurisdiction approved by the Secretary as the standards applicable to that entity or class of entities.

### **9 (Repealed)**

## **Part 4**

### **10-13 (Repealed)**

## **Part 5 Disability Council**

### **14 Appointment of Chairperson and Deputy Chairperson of Disability Council**

- (1) One of the members of the Disability Council is, by an instrument subsequent to the member's instrument of appointment as a member, to be appointed by the Minister as chairperson of the Council.
- (2) One of the members of the Disability Council is, by an instrument subsequent to the member's instrument of appointment as a member, to be appointed by the Minister as deputy chairperson of the Council.
- (3) The chairperson and deputy chairperson each hold office for the period (not more than one year) specified in the instrument of appointment as chairperson or deputy

chairperson, but are eligible for re-appointment.

## **Part 6 Savings and transitional provisions**

### **15 Application of provisions about probity checks**

- (1) For the purposes of clause 3 (1) of Schedule 4 to the Act, the prescribed date is 3 December 2014.
- (2) For the purposes of clause 3 (2) of Schedule 4 to the Act, the prescribed date is 3 December 2014.

### **16 Continuation of financial assistance and agreements**

- (1) The reference to a prescribed condition in clause 4 (2) (b) of Schedule 4 to the Act is taken to include a reference to a condition that, no later than on 1 December 2015, an organisation to which clause 4 of that Schedule applies must ensure that a criminal record check is conducted or obtained in relation to each of its existing relevant workers and existing relevant board members.

- (2) In this clause—

***existing relevant board member*** of an organisation means a relevant board member (within the meaning of section 32 of the Act) who was engaged by the organisation as a relevant board member before 3 December 2014.

***existing relevant worker*** of an organisation means a relevant worker (within the meaning of section 32 of the Act) who was engaged by the organisation as a relevant worker before 3 December 2014.

### **17 Probity checks of existing departmental workers**

- (1) In this clause—

***existing departmental worker***, in relation to the Department, means a relevant worker of the Department (within the meaning of section 36 of the Act) who was engaged by the Department as a relevant worker before 3 December 2014.

- (2) The Secretary must ensure that, no later than on 1 December 2015, a criminal record check is conducted or obtained in relation to each of its existing departmental workers.

## **Schedule 1 Disability service standards**

(Clause 8)

The disability service standards are as follows—

### **Rights**

Each person with disability receives a service that promotes and respects the person's legal and

human rights and enables them to exercise choice like every one else in the community.

**Participation and inclusion**

Each person with disability is encouraged and supported to contribute to social and civic life in the person's communities in the way the person chooses.

**Individual outcomes**

Each person with disability is supported to exercise choice and control over the design and delivery of support and services to the person.

**Feedback and complaints**

When a person with disability wants to make a complaint to a provider of a service, the provider of the service will make sure the person's views are respected, that the person is informed as the complaint is dealt with, and that the person has the opportunity to be involved in the resolution process.

**Service access**

Each person with disability is assisted to access the supports and services the person needs to live the life the person chooses.

**Service management**

Providers of services to persons with disability are well managed and have strong and effective governance to deliver positive outcomes for the persons they support.