Meaning of Disability Service Provider

*Disability Rights, Inclusion and Safeguarding Act 2024*

This fact sheet explains the meaning of ‘disability services provider’, as described in the *Disability Rights, Inclusion and Safeguarding Act 2024* (the Act).

# What is a Disability Services Provider?

Section 7 of the Act defines a disability services provider as:

* a person or organisation that receives funding under the National Disability Insurance Scheme (NDIS) or the Act to provide a service specifically for the support of people with a disability; or
* a person or organisation, who has been defined in a legal document, as a disability services provider.

This means that a person or organisation will be considered a disability services provider if they are receiving payment from NDIS funds or funded by the Tasmanian Government to provide disability services under the Act. It does not matter whether the payment (or funding) is paid by the person with disability, a plan manager, or directly from the National Disability Insurance Agency (NDIA) or another organisation.

The definition includes people and organisations who provide supports and services for people with disability. Some examples include:

* Registered or unregistered NDIS providers.
* A for-profit or not-for-profit organisation who is providing a specific disability service.
* A person or organisation who provides a disability support services to children or adults.
* A person or organisation that provides disability accommodation and support services.

The definition also includes a person or body ‘prescribed’ as a disability services provider. This means that the Department of Premier and Cabinet (the Tasmanian Government department with responsibility for the Act) can, in the future, make a legal rule that defines a person, a group of people or an organisation as disability services providers.

# What is not a Disability Services Provider?

Section 7 of the Act also states that the following persons or bodies are not disability services providers:

* A person with disability who is in receipt of a disability support grant for the purpose of obtaining care, support or assistance.
* A relative or friend of a person with disability who provides disability supports to that person.
* A person, a group of people or organisations who may be defined in a legal rule as being excluded from the definition of disability services provider. This may happen in the future.

# Guiding Principles

The Act includes principles that promote the human rights of people with disability and reflect the United Nations Convention on the Rights of Persons with Disability.

These principles apply to every person, entity and provider who is doing something covered by the Act, including disability services providers and can be read in full in section 8 of the Act.

If you provide services to a person with disability, those services must be provided in a way that is consistent with the principles.

# National Standards for Disability Services

Disability services providers must also comply with the disability service standards defined in the *Disability Rights, Inclusion and Safeguarding Regulations 2025*.

The standards that apply are the National Standards for Disability Services published by the Commonwealth Department of Social Services. For more information about the standards, see the fact sheet ‘[Disability Service Standards](https://www.dpac.tas.gov.au/divisions/cpp/community-and-disability-services/disability-inclusion-and-safeguarding-act-2024)’. All NDIS providers are already required to comply with the Standard and the NDIS Code of Conduct. Additional NDIS practice standards and quality indicators also apply to registered providers.

# More Information:

This fact sheet provides a summary about the meaning of disability services provider. If you have further questions please contact us using the details listed below or read the [*Disability Rights, Inclusion and Safeguarding Act 2024*](https://www.legislation.tas.gov.au/view/whole/html/asmade/act-2024-021).

Additional fact sheets have been prepared to support the community understand new arrangements that come into effect following the Commencement of the Act. They can be found [here](https://www.dpac.tas.gov.au/divisions/cpp/community-and-disability-services/disability-inclusion-and-safeguarding-act-2024)].

For more information, please contact the **Department of Premier and Cabinet – Disability and Reform** on disability@dpac.tas.gov.au or phone 1800 431 211.