



Queensland

# **Disability Services and Other Legislation Amendment Bill 2015**





Queensland

# Disability Services and Other Legislation Amendment Bill 2015

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# 2015

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## A Bill

for

***An Act to amend the Coroners Act 2003, the Disability Services Act 2006, the Guardianship and Administration Act 2000, the Powers of Attorney Act 1998, the Public Guardian Regulation 2014 and the Working with Children (Risk Management and Screening) Act 2000 for particular purposes***

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Disability Services and Other  
Legislation Amendment Act 2015*. 4  
5

**Clause 2 Commencement** 6

This Act commences on a day to be fixed by proclamation. 7

**Part 2 Amendment of Coroners Act  
2003** 8  
9

**Clause 3 Act amended** 10

This part amends the *Coroners Act 2003*. 11

**Clause 4 Amendment of s 9 (*Death in care* defined)** 12

(1) Section 9(1)— 13

*insert—* 14

(e) the person was a participant who was— 15

(i) living in— 16

(A) accommodation provided to 17  
persons with a disability; or 18

(B) a residential service that is not a 19  
private dwelling or aged care 20  
facility; and 21

- 
- (ii) receiving services paid for wholly or partly from funding under the NDIS in accordance with the person's participant's plan. 1  
2  
3  
4
- (2) Section 9(4)— 5  
*insert—* 6
- NDIS* means National Disability Insurance Scheme under the NDIS Act. 7  
8
- NDIS Act* means *National Disability Insurance Scheme Act 2013* (Cwlth). 9  
10
- participant* has the meaning given by the NDIS Act, section 9. 11  
12
- participant's plan* means a plan for a participant that is in effect under the NDIS Act, section 37. 13  
14
- plan*, for a participant, has the meaning given by the NDIS Act, section 9. 15  
16

**Part 3** **Amendment of Disability Services Act 2006** 17  
18

**Clause 5** **Act amended** 19  
This part amends the *Disability Services Act 2006*. 20

**Clause 6** **Amendment of s 12 (What are *disability services*)** 21  
Section 12— 22  
*insert—* 23  
(g) another service prescribed by regulation. 24

[s 7]

---

<b>Clause 7</b>	<b>Amendment of s 14 (Meaning of <i>funded service provider</i>)</b>	1
	(1) Section 14(1)—	2
	<i>omit, insert—</i>	3
	(1) A <i>funded service provider</i> is—	4
	(a) a service provider that receives funds from the department to provide disability services; or	5 6 7
	(b) a service provider that provides disability services prescribed by regulation to a participant under the participant’s plan.	8 9 10
	(2) Section 14(3)—	11
	<i>omit, insert—</i>	12
	(3) However, a funded service provider does not include—	13 14
	(a) another department receiving funds from the department; or	15 16
	(b) another department providing disability services prescribed by regulation to a participant under the participant’s plan.	17 18 19
<b>Clause 8</b>	<b>Insertion of new s 16A</b>	20
	Part 1, division 3—	21
	<i>insert—</i>	22
	<b>16A Meaning of <i>NDIS non-government service provider</i></b>	23 24
	An <i>NDIS non-government service provider</i> is a non-government service provider that provides disability services prescribed by regulation to a participant under the participant’s plan.	25 26 27 28

---

<b>Clause 9</b>	<b>Replacement of pt 5, hdg (Screening of particular persons engaged by department or funded non-government service providers)</b>	1 2 3	
	Part 5, heading—	4	
	<i>omit, insert—</i>	5	
	<b>Part 5</b>	<b>Screening of particular persons engaged by department or particular funded service providers</b>	6 7 8 9 10
<b>Clause 10</b>	<b>Amendment of s 40 (Main purpose of pt 5)</b>	11	
	Section 40, ‘or a funded non-government service provider’—	12	
	<i>omit, insert—</i>	13	
	, a funded non-government service provider or an NDIS non-government service provider	14 15	
<b>Clause 11</b>	<b>Amendment of s 42 (This part does not apply to persons engaged to provide disability services to children)</b>	16 17	
	Section 42, ‘or a funded non-government service provider’—	18	
	<i>omit, insert—</i>	19	
	, a funded non-government service provider or an NDIS non-government service provider	20 21	
<b>Clause 12</b>	<b>Amendment of s 46 (Persons engaged by a funded non-government service provider at a service outlet)</b>	22 23	
	(1) Section 46, heading, after ‘service provider’—	24	
	<i>insert—</i>	25	
	<b>or an NDIS non-government service provider</b>	26	
	(2) Section 46(1), (2) and (6), after ‘funded non-government service provider’—	27 28	

[s 13]

---

*insert—* 1

or an NDIS non-government service provider 2

(3) Section 46(5), ‘a service provider’— 3

*omit, insert—* 4

a funded non-government service provider or an NDIS 5

non-government service provider 6

**Clause 13 Amendment of s 49 (Risk management strategies about persons engaged by funded non-government service providers)** 7  
8  
9

(1) Section 49, heading, after ‘service providers’— 10

*insert—* 11

**or NDIS non-government service providers** 12

(2) Section 49(1), after ‘funded non-government service provider’— 13  
14

*insert—* 15

or an NDIS non-government service provider 16

(3) Section 49(2), ‘service provider’, first mention— 17

*omit, insert—* 18

funded non-government service provider or NDIS 19

non-government service provider 20

(4) Section 49(2), penalty, paragraph (b), after ‘service provider’— 21  
22

*insert—* 23

or an NDIS non-government service provider 24

**Clause 14 Amendment of pt 5, div 5, hdg (Issue of prescribed notices for funded non-government service providers)** 25  
26

Part 5, division 5, heading, after ‘providers’— 27

*insert—* 28

---

	<b>and NDIS non-government service providers</b>	1
<b>Clause 15</b>	<b>Amendment of s 52 (Application for prescribed notice)</b>	2
(1)	Section 52(1) and (5), after ‘funded non-government service provider’—	3
	<i>insert—</i>	4
	or an NDIS non-government service provider	5
(2)	Section 52(2)(b), ‘service provider’—	6
	<i>omit, insert—</i>	7
	funded non-government service provider or NDIS non-government service provider	8
(3)	Section 52(3)(b), ‘service provider’, first mention—	9
	<i>omit, insert—</i>	10
	funded non-government service provider or NDIS non-government service provider	11
(4)	Section 52(4), ‘service provider’—	12
	<i>omit, insert—</i>	13
	funded non-government service provider, NDIS non-government service provider	14
(5)	Section 52(6)(a) and (7)(a), after ‘funded non-government service provider’—	15
	<i>insert—</i>	16
	or NDIS non-government service provider	17
(6)	Section 52(6)(b), ‘funded non-government’—	18
	<i>omit.</i>	19
		20
<b>Clause 16</b>	<b>Amendment of s 56 (Actions of chief executive after making decision on application)</b>	21
	Section 56(4), after ‘funded non-government service provider’—	22
	<i>insert—</i>	23
		24

[s 17]

---

	or NDIS non-government service provider	1
<b>Clause 17</b>	<b>Amendment of pt 5, div 6, hdg (Issue of exemption notices for funded non-government service providers)</b>	2 3
	Part 5, division 6, heading, after ‘service providers’—	4
	<i>insert—</i>	5
	<b>and NDIS non-government service providers</b>	6
<b>Clause 18</b>	<b>Amendment of s 59 (Application for exemption notice)</b>	7
(1)	Section 59(1), after ‘funded non-government service provider’—	8 9
	<i>insert—</i>	10
	or an NDIS non-government service provider	11
(2)	Section 59(2)(b), ‘service provider’—	12
	<i>omit, insert—</i>	13
	funded non-government service provider or NDIS non-government service provider	14 15
(3)	Section 59(3)(b), ‘service provider’, first mention—	16
	<i>omit, insert—</i>	17
	funded non-government service provider or NDIS non-government service provider	18 19
(4)	Section 59(4), ‘service provider’—	20
	<i>omit, insert—</i>	21
	funded non-government service provider, NDIS non-government service provider	22 23
<b>Clause 19</b>	<b>Amendment of s 63 (Actions of chief executive after making decision on application)</b>	24 25
	Section 63(4), after ‘funded non-government service provider’—	26
	<i>insert—</i>	27



---

	or NDIS non-government service provider	1
<b>Clause 20</b>	<b>Amendment of pt 5, div 7, sdiv 1, hdg (Engagement of persons by funded non-government service provider)</b>	2 3
	Part 5, division 7, subdivision 1, heading, after ‘service provider’—	4 5
	<i>insert</i> —	6
	<b>or NDIS non-government service provider</b>	7
<b>Clause 21</b>	<b>Amendment of s 65 (Starting engagement of certain regular engaged persons other than volunteers)</b>	8 9
	(1) Section 65(1)(a), after ‘funded non-government service provider’—	10 11
	<i>insert</i> —	12
	or an NDIS non-government service provider	13
	(2) Section 65(1)(b) and (c), ‘funded non-government’—	14
	<i>omit</i> .	15
	(3) Section 65(2), ‘service provider’, first mention—	16
	<i>omit, insert</i> —	17
	funded non-government service provider or NDIS non-government service provider	18 19
	(4) Section 65(2), penalty, paragraph (b), after ‘service provider’—	20 21
	<i>insert</i> —	22
	or an NDIS non-government service provider	23
	(5) Section 65(3)(b), ‘service provider’, first mention—	24
	<i>omit, insert</i> —	25
	funded non-government service provider or NDIS non-government service provider	26 27

[s 22]

---

<b>Clause 22</b>	<b>Amendment of s 66 (Starting engagement of new engaged persons other than volunteers)</b>	1 2
(1)	Section 66(1)(a) and (b), after ‘funded non-government service provider’—	3 4
	<i>insert</i> —	5
	or an NDIS non-government service provider	6
(2)	Section 66(1)(c), ‘funded non-government’—	7
	<i>omit.</i>	8
(3)	Section 66(2), ‘service provider’, first mention—	9
	<i>omit, insert</i> —	10
	funded non-government service provider or NDIS non-government service provider	11 12
(4)	Section 66(2), penalty, paragraph (b), after ‘service provider’—	13 14
	<i>insert</i> —	15
	or an NDIS non-government service provider	16
(5)	Section 66(3)(b), ‘service provider’, first mention—	17
	<i>omit, insert</i> —	18
	funded non-government service provider or NDIS non-government service provider	19 20
<b>Clause 23</b>	<b>Amendment of s 67 (Continuing engagement of persons other than volunteers)</b>	21 22
(1)	Section 67(1)(a), after ‘funded non-government service provider’—	23 24
	<i>insert</i> —	25
	or an NDIS non-government service provider	26
(2)	Section 67(1)(b), ‘funded non-government’—	27
	<i>omit.</i>	28

- 
- (3) Section 67(2), after ‘funded non-government service provider’, first mention— 1  
2  
*insert—* 3  
or NDIS non-government service provider 4
- (4) Section 67(2), penalty, paragraph (b), after ‘service provider’— 5  
6  
*insert—* 7  
or an NDIS non-government service provider 8

- Clause 24 Amendment of s 68 (Starting engagement of volunteers)** 9
- (1) Section 68(1), after ‘funded non-government service provider’— 10  
11  
*insert—* 12  
or an NDIS non-government service provider 13
- (2) Section 68(2)(b), after ‘funded non-government service provider’— 14  
15  
*insert—* 16  
or NDIS non-government service provider 17

- Clause 25 Amendment of s 69 (Currency of prescribed notice for volunteer continuing engagement)** 18  
19
- Section 69(1)(a), after ‘funded non-government service provider’— 20  
21  
*insert—* 22  
or an NDIS non-government service provider 23

- Clause 26 Amendment of s 70 (Prohibited engagement)** 24
- Section 70(2), after ‘funded non-government service provider’— 25  
26  
*insert—* 26  
or an NDIS non-government service provider 27

[s 27]

---

<b>Clause 27</b>	<b>Amendment of s 75 (Change in police information of person engaged by funded non-government service provider)</b>	1 2 3
(1)	Section 75, heading, after ‘service provider’— <i>insert</i> — <b>or NDIS non-government service provider</b>	4 5 6
(2)	Section 75(1), after ‘funded non-government service provider’— <i>insert</i> — or an NDIS non-government service provider	7 8 9 10
(3)	Section 75(2) and (4)(a), ‘service provider’— <i>omit, insert</i> — funded non-government service provider or NDIS non-government service provider	11 12 13 14
(4)	Section 75(3), ‘service provider’, first mention— <i>omit, insert</i> — funded non-government service provider or NDIS non-government service provider	15 16 17 18
(5)	Section 75(3), penalty, paragraph (b), after ‘service provider’— <i>insert</i> — or an NDIS non-government service provider	19 20 21 22
(6)	Section 75(4)(b), ‘service provider’, first mention— <i>omit, insert</i> — funded non-government service provider or NDIS non-government service provider	23 24 25 26
<b>Clause 28</b>	<b>Amendment of s 77 (Change in police information of other persons)</b>	27 28
(1)	Section 77(1)(c), ‘or a funded non-government service provider’—	29 30

---

*omit, insert—*

, a funded non-government service provider or an  
NDIS non-government service provider

(2) Section 77(2) and (3), penalty, paragraph (b), after ‘funded  
non-government service provider’—

*insert—*

or an NDIS non-government service provider

(3) Section 77(3), ‘service provider’, first mention—

*omit, insert—*

funded non-government service provider or NDIS  
non-government service provider

**Clause 29 Amendment of s 78 (False or misleading disclosure)**

Section 78(a), after ‘service provider’—

*insert—*

or an NDIS non-government service provider

**Clause 30 Amendment of s 83 (Chief executive may cancel a prescribed notice and substitute another prescribed notice)**

Section 83(2), after ‘funded non-government service provider’—

*insert—*

or an NDIS non-government service provider

**Clause 31 Amendment of s 84 (Chief executive may cancel an exemption notice and substitute another exemption notice)**

Section 84(2), after ‘funded non-government service provider’—

*insert—*

or an NDIS non-government service provider

[s 32]

---

<b>Clause 32</b>	<b>Amendment of s 85 (Cancellation of positive notice if relevant disqualified person)</b>	1 2
	Section 85(4), after ‘funded non-government service provider’—	3
	<i>insert—</i>	4
	or an NDIS non-government service provider	5
<b>Clause 33</b>	<b>Amendment of s 86 (Suspension of positive notice if charged with disqualifying offence or subject to temporary or interim order)</b>	6 7 8
	Section 86(5), (6), (7) and (8), after ‘funded non-government service provider’—	9 10
	<i>insert—</i>	11
	or an NDIS non-government service provider	12
<b>Clause 34</b>	<b>Amendment of s 88 (Suspension of a positive exemption notice if WWC positive notice suspended)</b>	13 14
	Section 88(6), (7) and (8), after ‘funded non-government service provider’—	15 16
	<i>insert—</i>	17
	or an NDIS non-government service provider	18
<b>Clause 35</b>	<b>Amendment of s 89 (Ending of suspension and issue of further exemption notice or prescribed notice)</b>	19 20
	Section 89(8), after ‘funded non-government service provider’—	21
	<i>insert—</i>	22
	or an NDIS non-government service provider	23
<b>Clause 36</b>	<b>Amendment of s 90 (Notifying holder of expiry of positive exemption notice)</b>	24 25
	Section 90(4), after ‘funded non-government service provider’—	26
	<i>insert—</i>	27

---

	or an NDIS non-government service provider	1
<b>Clause 37</b>	<b>Amendment of s 91 (Request to cancel positive notice or positive exemption notice)</b>	2 3
	Section 91(4) and (5), after ‘funded non-government service provider’—	4 5
	<i>insert—</i>	6
	or an NDIS non-government service provider	7
<b>Clause 38</b>	<b>Amendment of s 94 (Replacement notice etc. if change in engagement details)</b>	8 9
	Section 94(1), after ‘funded non-government service provider’—	10
	<i>insert—</i>	11
	or an NDIS non-government service provider	12
<b>Clause 39</b>	<b>Amendment of s 98 (Offences for disqualified person)</b>	13
	(1) Section 98(3), after ‘funded non-government service provider’—	14 15
	<i>insert—</i>	16
	or NDIS non-government service provider	17
	(2) Section 98(4), after ‘funded non-government service provider’—	18 19
	<i>insert—</i>	20
	or an NDIS non-government service provider	21
<b>Clause 40</b>	<b>Amendment of s 131 (Chief executive to give notice to funded non-government service provider about making screening decision about engaged person)</b>	22 23 24
	(1) Section 131, heading, after ‘service provider’—	25
	<i>insert—</i>	26

[s 41]

---

	<b>or NDIS non-government service provider</b>	1
(2)	Section 131(3), after ‘a funded non-government service provider’—	2
	<i>insert—</i>	3
	or an NDIS non-government service provider	4
(3)	Section 131(3)(g)(i), ‘funded non-government’—	5
	<i>omit.</i>	6
(4)	Section 131(4), ‘service provider’, first mention—	7
	<i>omit, insert—</i>	8
	funded non-government service provider or NDIS non-government service provider	9
		10
		11
<b>Clause 41</b>	<b>Amendment of s 132 (Withdrawal of engaged person’s consent to screening)</b>	12
		13
(1)	Section 132(1)(a), after ‘funded non-government service provider’—	14
	<i>insert—</i>	15
	or an NDIS non-government service provider	16
(2)	Section 132(3)(d), (4)(d), (6)(b), (7)(b) and (8)(b), ‘service provider’—	17
	<i>omit, insert—</i>	18
	funded non-government service provider or NDIS non-government service provider	19
		20
(3)	Section 132(5)(a), ‘service provider’, first mention—	21
	<i>omit, insert—</i>	22
	funded non-government service provider or NDIS non-government service provider	23
		24
(4)	Section 132(9), ‘service provider’, first mention—	25
	<i>omit, insert—</i>	26
		27
		28



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	funded non-government service provider or an NDIS	1
	non-government service provider	2
<b>Clause 42</b>	<b>Amendment of s 133 (Compliance with requirement to end, or not start, a person's engagement)</b>	3
		4
(1)	Section 133(1), after 'funded non-government service provider'—	5
	<i>insert</i> —	6
	or an NDIS non-government service provider	7
(2)	Section 133(2), 'service provider'—	8
	<i>omit, insert</i> —	9
	funded non-government service provider or NDIS	10
	non-government service provider	11
(3)	Section 133(3), 'service provider', first mention—	12
	<i>omit, insert</i> —	13
	funded non-government service provider or NDIS	14
	non-government service provider	15
(4)	Section 133(4), 'service provider', first mention—	16
	<i>omit, insert</i> —	17
	funded non-government service provider or NDIS	18
	non-government service provider	19
<b>Clause 43</b>	<b>Amendment of s 138 (Register of persons engaged by funded non-government entities)</b>	20
		21
(1)	Section 138, heading, from 'funded'—	22
	<i>omit, insert</i> —	23
	<b>particular entities or for whom particular applications are made</b>	24
		25
(2)	Section 138(2)(b), (3) and (4), after 'funded non-government service provider'—	26
	<i>insert</i> —	27
		28
		29

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	or an NDIS non-government service provider	1
<b>Clause 44</b>	<b>Insertion of new pt 6A</b>	2
	After part 6—	3
	<i>insert—</i>	4
	<b>Part 6A</b>	5
	<b>Investigation, monitoring and enforcement</b>	6 7
	<b>Division 1</b>	8
	<b>Preliminary</b>	
	<b>200A Purpose of part</b>	9
	The purpose of this part is to prescribe particular functions and powers of authorised officers appointed under the <i>Community Services Act 2007</i> .	10 11 12
	<b>200B References to exercise of powers</b>	13
	If—	14
	(a) a provision of this part refers to the exercise of a power by an authorised officer; and	15 16
	(b) there is no reference to a specific power;	17
	the reference is to the exercise of all or any authorised officer’s powers under this part or a warrant, to the extent the powers are relevant.	18 19 20
	<b>200C Reference to document includes reference to reproductions from electronic document</b>	21 22
	A reference in this part to a document includes a reference to an image or writing—	23 24
	(a) produced from an electronic document; or	25

- 
- (b) not yet produced, but reasonably capable of 1  
being produced, from an electronic 2  
document, with or without the aid of another 3  
article or device. 4

**Division 2            Functions of authorised 5**  
**officers 6**

**200D Existing functions of authorised officers in 7**  
**relation to funding 8**

For this Act and the *Community Services Act 2007*, 9  
section 24(d), the functions of an authorised officer, to 10  
the extent the *Community Services Act 2007* applies in 11  
relation to funding because of section 10 of that Act, 12  
include the following— 13

- (a) investigating, monitoring and ensuring 14  
compliance with this Act; 15
- (b) investigating or monitoring whether an 16  
occasion has arisen for the exercise of 17  
powers under the *Community Services Act 18*  
*2007*; 19
- (c) facilitating the exercise of powers under the 20  
*Community Services Act 2007*. 21

*Note—* 22

See the *Community Services Act 2007*, part 4, divisions 23  
3 and 4 for powers an authorised officer may exercise 24  
under that Act for the performance of the authorised 25  
officer's functions under this section. 26

**200E Additional functions of authorised officers in 27**  
**relation to NDIS non-government service 28**  
**providers 29**

Without limiting section 200D, for this Act and the 30  
*Community Services Act 2007*, section 24(d), an 31  
authorised officer also has the functions of— 32

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(a) investigating, monitoring and ensuring compliance of NDIS non-government service providers with this Act; and	1 2 3
(b) for the purposes of paragraph (a)—	4
(i) investigating or monitoring whether an occasion has arisen for the exercise of powers under this Act; and	5 6 7
(ii) facilitating the exercise of powers under this Act.	8 9
<i>Note—</i>	10
See divisions 3 and 4 for powers an authorised officer may exercise under this Act for the performance of the authorised officer’s functions under this section.	11 12 13
<b>Division 3 Powers of authorised officers for particular functions</b>	14 15 16
<b>Subdivision 1 Preliminary</b>	17
<b>200F Application of division for particular functions</b>	18 19
For the performance of the functions of an authorised officer mentioned in section 200E, this division applies instead of the <i>Community Services Act 2007</i> , part 4, divisions 3 and 4.	20 21 22 23
<b>Subdivision 2 General power of entry</b>	24
<b>200G General power to enter places</b>	25
(1) An authorised officer may enter a place if—	26

- 
- (a) an occupier of the place consents under subdivision 3 to the entry and section 200J has been complied with for the occupier; or
- (b) it is a public place and the entry is made when it is open to the public; or
- (c) the entry is authorised under a warrant and, if there is an occupier of the place, section 200Q has been complied with for the occupier; or
- (d) it is the place of business of an NDIS non-government service provider and is—
- (i) open for carrying on the business; or
- (ii) otherwise open for entry.
- (2) For subsection (1)(d), a *place of business* does not include a part of the place where a person resides.
- (3) If the power to enter arose only because an occupier of the place consented to the entry, the power is subject to any conditions of the consent and ceases if the consent is withdrawn.
- (4) If the power to enter is under a warrant, the power is subject to the terms of the warrant.
- (5) In this section—
- public place*** means a place, or part of the place—
- (a) the public is entitled to use, that is open to members of the public or that is used by the public, whether or not on payment of money; or
- Examples of a place that may be a public place under paragraph (a)—*
- a beach, a park, a road
- (b) the occupier of which allows, whether or not on payment of money, members of the public to enter.

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<i>Examples of a place that may be a public place under paragraph (b)—</i>	1 2
a saleyard, a showground	3
<b>Subdivision 3 Entry by consent</b>	4
<b>200H Application of subdivision</b>	5
This subdivision applies if an authorised officer intends to ask an occupier of a place to consent to the authorised officer or another authorised officer entering the place under section 200G(1)(a).	6 7 8 9
<b>200I Incidental entry to ask for access</b>	10
For the purpose of asking the occupier for the consent, an authorised officer may, without the occupier's consent or a warrant—	11 12 13
(a) enter land around premises at the place to an extent that is reasonable to contact the occupier; or	14 15 16
(b) enter part of the place the authorised officer reasonably considers members of the public ordinarily are allowed to enter when they wish to contact an occupier of the place.	17 18 19 20
<b>200J Matters authorised officer must tell occupier</b>	21
Before asking for the consent, the authorised officer must give a reasonable explanation to the occupier—	22 23
(a) about the purpose of the entry, including the powers intended to be exercised; and	24 25
(b) that the occupier is not required to consent; and	26 27

- 
- (c) that the consent may be given subject to conditions and may be withdrawn at any time. 1  
2  
3

**200K Consent acknowledgement** 4

- (1) If the consent is given, the authorised officer may ask the occupier to sign an acknowledgement of the consent. 5  
6  
7
- (2) The acknowledgement must state— 8
- (a) the purpose of the entry, including the powers to be exercised; and 9  
10
- (b) the following has been explained to the occupier— 11  
12
- (i) the purpose of the entry, including the powers intended to be exercised; 13  
14
- (ii) that the occupier is not required to consent; 15  
16
- (iii) that the consent may be given subject to conditions and may be withdrawn at any time; and 17  
18  
19
- (c) the occupier gives the authorised officer or another authorised officer consent to enter the place and exercise the powers; and 20  
21  
22
- (d) the time and day the consent was given; and 23
- (e) any conditions of the consent. 24
- (3) If the occupier signs the acknowledgement, the authorised officer must immediately give a copy to the occupier. 25  
26  
27
- (4) If— 28
- (a) an issue arises in a proceeding about whether the occupier consented to the entry; and 29  
30  
31

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- (b) a signed acknowledgement complying with subsection (2) for the entry is not produced in evidence;
- the onus of proof is on the person relying on the lawfulness of the entry to prove the occupier consented.

## **Subdivision 4 Entry under warrant**

### **200L Application for warrant**

- (1) An authorised officer may apply to a magistrate for a warrant for a place.
- (2) The authorised officer must prepare a written application that states the grounds on which the warrant is sought.
- (3) The written application must be sworn.
- (4) The magistrate may refuse to consider the application until the authorised officer gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.

*Example—*

The magistrate may require additional information supporting the application to be given by statutory declaration.

### **200M Issue of warrant**

- (1) A magistrate may issue a warrant for a place only if the magistrate is satisfied there are reasonable grounds for suspecting that it is necessary to enter the place—
- (a) to protect a person who is a participant receiving services, under the person's participant's plan, from an NDIS



- 
- non-government service provider at the 1  
place from risk of harm because of abuse, 2  
neglect or exploitation; or 3
- (b) to check whether an NDIS non-government 4  
service provider has complied with, or is 5  
complying with, this Act. 6
- (2) However, the magistrate may issue a warrant 7  
under subsection (1)(b) only if the magistrate is 8  
satisfied noncompliance may significantly affect 9  
the delivery of a service to a participant. 10
- (3) The warrant must state— 11
- (a) the place to which the warrant applies; and 12
- (b) that a stated authorised officer may, with 13  
necessary and reasonable help and force— 14
- (i) enter the place and any other place 15  
necessary for the entry; and 16
- (ii) exercise the officer’s powers; and 17
- (c) particulars of the reason it is necessary to 18  
enter the place that the magistrate considers 19  
appropriate; and 20
- (d) the hours of the day or night when the place 21  
may be entered; and 22
- (e) the evidence that may be seized under the 23  
warrant; and 24
- (f) the magistrate’s name; and 25
- (g) the day and time of the warrant’s issue; and 26
- (h) the day, within 14 days after the warrant’s 27  
issue, the warrant ends. 28
- 200N Electronic application 29**
- (1) An application under section 200L may be made 30  
by phone, fax, email, radio, videoconferencing or 31  
another form of electronic communication if the 32

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- authorised officer reasonably considers it 1  
necessary because of— 2
- (a) urgent circumstances; or 3
- (b) other special circumstances, including, for 4  
example, the authorised officer’s remote 5  
location. 6
- (2) The application— 7
- (a) may not be made before the authorised 8  
officer prepares the written application 9  
under section 200L(2); but 10
- (b) may be made before the written application 11  
is sworn. 12

**2000 Additional procedure if electronic application** 13

- (1) For an application under section 200N, the 14  
magistrate may issue the warrant (the *original* 15  
*warrant*) only if the magistrate is satisfied— 16
- (a) it was necessary to make the application 17  
under section 200N; and 18
- (b) the way the application was made under 19  
section 200N was appropriate. 20
- (2) After the magistrate issues the original warrant— 21
- (a) if there is a reasonably practicable way of 22  
immediately giving a copy of the warrant to 23  
the authorised officer, including, for 24  
example, by sending a copy by fax or email, 25  
the magistrate must immediately give a copy 26  
of the warrant to the authorised officer; or 27
- (b) otherwise— 28
- (i) the magistrate must tell the authorised 29  
officer the information mentioned in 30  
section 200M(3); and 31

- 
- (ii) the authorised officer must complete a form of warrant, including by writing on it the information mentioned in section 200M(3) provided by the magistrate.
- (3) The copy of the warrant mentioned in subsection (2)(a), or the form of warrant completed under subsection (2)(b) (in either case the ***duplicate warrant***), is a duplicate of, and as effectual as, the original warrant.
- (4) The authorised officer must, at the first reasonable opportunity, send to the magistrate—
- (a) the written application complying with section 200L(2) and (3); and
- (b) if the authorised officer completed a form of warrant under subsection (2)(b)—the completed form of warrant.
- (5) The magistrate must keep the original warrant and, on receiving the documents under subsection (4)—
- (a) attach the documents to the original warrant; and
- (b) give the original warrant and documents to the clerk of the court of the relevant magistrates court.
- (6) Despite subsection (3), if—
- (a) an issue arises in a proceeding about whether an exercise of a power was authorised by a warrant issued under this section; and
- (b) the original warrant is not produced in evidence;
- the onus of proof is on the person relying on the lawfulness of the exercise of the power to prove a warrant authorised the exercise of the power.

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- (7) This section does not limit section 200L. 1
- (8) In this section— 2
- relevant magistrates court*, in relation to a 3  
magistrate, means the Magistrates Court that the 4  
magistrate constitutes under the *Magistrates Act* 5  
*1991*. 6
- 200P Defect in relation to a warrant** 7
- (1) A warrant is not invalidated by a defect in— 8
- (a) the warrant; or 9
- (b) compliance with section 200L, 200M or 10  
200N; 11
- unless the defect affects the substance of the 12  
warrant in a material particular. 13
- (2) In this section— 14
- warrant* includes a duplicate warrant mentioned 15  
in section 200O(3). 16
- 200Q Entry procedure** 17
- (1) This section applies if an authorised officer 18  
named in a warrant issued under this subdivision 19  
for a place is intending to enter the place under 20  
the warrant. 21
- (2) Before entering the place, the authorised officer 22  
must do or make a reasonable attempt to do the 23  
following things— 24
- (a) identify himself or herself to a person who is 25  
an occupier of the place and is present by 26  
producing a copy of the authorised officer’s 27  
identity card or another document 28  
evidencing the authorised officer’s 29  
appointment; 30
- (b) give the person a copy of the warrant; 31

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(c) tell the person the authorised officer is permitted by the warrant to enter the place;	1 2
(d) give the person an opportunity to allow the authorised officer immediate entry to the place without using force.	3 4 5
(3) However, the authorised officer need not comply with subsection (2) if the authorised officer believes on reasonable grounds that entry to the place without compliance is required to ensure the effective execution of the warrant is not frustrated.	6 7 8 9 10 11
(4) In this section— <i>warrant</i> includes a duplicate warrant mentioned in section 200O(3).	12 13 14
<b>Subdivision 5 General powers of authorised officer after entering place</b>	15 16 17
<b>200R Application of subdivision</b>	18
(1) The powers under this subdivision may be exercised if an authorised officer enters a place under section 200G(1)(a), (c) or (d).	19 20 21
(2) However, if the authorised officer enters under section 200G(1)(a) or (c), the powers under this subdivision are subject to any conditions of the consent or terms of the warrant.	22 23 24 25
<b>200S General powers</b>	26
(1) The authorised officer may do any of the following (each a <i>general power</i> )—	27 28
(a) search any part of the place;	29

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- |     |   |                                  |
|-----|---|----------------------------------|
| (b) | inspect, examine or film any part of the place or anything at the place;  | 1<br>2                           |
| (c) | take for examination a thing, or a sample of or from a thing, at the place;   | 3<br>4                           |
| (d) | place an identifying mark in or on anything at the place;   | 5<br>6                           |
| (e) | take an extract from, or copy, a document at the place or take the document to another place to copy;   | 7<br>8<br>9                      |
| (f) | produce an image or writing at the place from an electronic document or, to the extent it is not practicable, take a thing containing an electronic document to another place to produce an image or writing; | 10<br>11<br>12<br>13<br>14<br>15 |
| (g) | take to, into or onto the place and use any person, equipment and materials the authorised officer reasonably requires for exercising the officer's powers under this subdivision;                            | 16<br>17<br>18<br>19<br>20       |
| (h) | confer alone with a person at the place;  | 21                               |
| (i) | require a person at the place to answer questions by the authorised officer to help the authorised officer ascertain whether this Act is being or has been complied with;                                     | 22<br>23<br>24<br>25             |
| (j) | remain at the place for the time necessary to achieve the purpose of the entry.   | 26<br>27                         |
| (2) | The authorised officer may take a necessary step to allow the exercise of a general power.  | 28<br>29                         |
| (3) | If the authorised officer takes a document from the place to copy it, the authorised officer must copy the document and return it to the place as soon as practicable.  | 30<br>31<br>32<br>33             |
| (4) | If the authorised officer takes from the place an article or device reasonably capable of producing   | 34<br>35                         |

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a document from an electronic document to produce the document, the authorised officer must produce the document and return the article or device to the place as soon as practicable.	1 2 3 4
(5) In this section— <i>examine</i> includes analyse, test, account, measure, weigh, grade, gauge and identify.	5 6 7
<b>200T Power to require reasonable help</b>	8
(1) The authorised officer may make a requirement (a <i>help requirement</i> ) of an occupier of the place or a person at the place to give the authorised officer reasonable help to exercise a general power, including, for example, to produce a document or to give information.	9 10 11 12 13 14
(2) When making the help requirement, the authorised officer must warn the person it is an offence not to comply with the requirement unless the person has a reasonable excuse.	15 16 17 18
<b>200U Offence to contravene help requirement</b>	19
(1) A person of whom a help requirement is made must comply with the requirement unless the person has a reasonable excuse. Maximum penalty—40 penalty units.	20 21 22 23
(2) It is a reasonable excuse for an individual to not comply with a help requirement if complying might tend to incriminate the individual or expose the individual to a penalty.	24 25 26 27
<b>200V Failure to answer questions</b>	28
(1) A person of whom a requirement is made under section 200S(1)(i) must comply with the	29 30

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requirement, unless the person has a reasonable  
excuse. 1 2

Maximum penalty—40 penalty units. 3

- (2) It is a reasonable excuse for the person to not  
comply with the requirement if complying with  
the requirement might tend to incriminate the  
person. 4 5 6 7

**Division 4 Additional  
information-obtaining  
power** 8 9 10

**200W Power to require information** 11

- (1) This section applies if an authorised officer  
reasonably believes— 12 13
- (a) an offence against this Act has been  
committed by an NDIS non-government  
service provider; or 14 15 16
- (b) there has been a service delivery failure by  
an NDIS non-government service provider  
and the service provider may be able to give  
information about the failure; or 17 18 19 20
- (c) a person who is a participant receiving  
services, under the person's participant's  
plan, from an NDIS non-government service  
provider may be at risk of harm because of  
abuse, neglect or exploitation by the service  
provider. 21 22 23 24 25 26
- (2) The authorised officer may, by notice given to the  
NDIS non-government service provider, require  
the service provider to give the authorised officer  
information related to the offence or matter  
mentioned in subsection (1) within a stated  
reasonable time and in a stated way. 27 28 29 30 31 32



- 
- (3) A requirement under subsection (2) is an **information requirement**. 1  
2
- (4) For information that is an electronic document, 3  
compliance with the information requirement 4  
requires the giving of a clear image or written 5  
version of the electronic document. 6
- (5) The authorised officer may keep information that 7  
is a document to copy it. 8
- (6) If the authorised officer copies the document, or 9  
an entry in the document, the authorised officer 10  
may require the NDIS non-government service 11  
provider who has possession or control of the 12  
document to certify the copy as a true copy of the 13  
document or entry. 14
- (7) A requirement under subsection (6) is a 15  
**document certification requirement**. 16
- (8) The authorised officer must return the document 17  
to the NDIS non-government service provider as 18  
soon as practicable after copying it. 19
- (9) However, if a document certification requirement 20  
is made of a person, the authorised officer may 21  
keep the document until the person complies with 22  
the requirement. 23
- (10) When making an information requirement or 24  
document certification requirement, the 25  
authorised officer must warn the NDIS 26  
non-government service provider it is an offence 27  
not to comply with the requirement unless the 28  
service provider has a reasonable excuse. 29
- (11) In this section— 30  
**service delivery failure** means a significant 31  
failure to deliver a service to a participant who is 32  
paying for the service wholly or partly under the 33  
participant’s plan. 34

[s 45]

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**200X Offence to contravene information requirement**

- (1) An NDIS non-government service provider of whom an information requirement is made must comply with the requirement unless the service provider has a reasonable excuse.  
Maximum penalty—50 penalty units.
- (2) It is a reasonable excuse for an individual to not comply with the information requirement if complying with the requirement might tend to incriminate the individual or expose the individual to a penalty.
- (3) If a court convicts a person of an offence against subsection (1), the court may also order the person to give to a stated authorised officer, within a stated time and in a stated way, the information to which the information requirement related.

**Clause 45 Amendment of s 215 (Funded non-government service provider must keep records)**

- (1) Section 215, heading, after ‘service provider’—  
*insert—*  
**or NDIS non-government service provider**
- (2) Section 215, after ‘funded non-government service provider’—  
*insert—*  
or an NDIS non-government service provider

**Clause 46 Amendment of s 228 (Confidentiality of other information)**

- (1) Section 228(2), after ‘subsection (4)’—  
*insert—*

---

	or (5)	1
(2)	Section 228(5)(a), ‘funded non-government service provider or’—	2
	<i>omit, insert—</i>	3
	funded non-government service provider, an NDIS non-government service provider or another	4
		5
		6
<b>Clause 47</b>	<b>Amendment of s 229 (Power to require information or documents)</b>	7
		8
(1)	Section 229(1), after ‘funded non-government service provider’—	9
	<i>insert—</i>	10
	or an NDIS non-government service provider	11
		12
(2)	Section 229(2), after ‘service provider’—	13
	<i>insert—</i>	14
	or NDIS non-government service provider	15
		16
(3)	Section 229(3), ‘service provider’—	17
	<i>omit, insert—</i>	18
	funded non-government service provider or NDIS non-government service provider	19
		20
<b>Clause 48</b>	<b>Amendment of s 230 (Protection from liability for giving information)</b>	21
		22
(1)	Section 230(1) and (2), after ‘funded non-government service provider’—	23
	<i>insert—</i>	24
	or an NDIS non-government service provider	25
		26
(2)	Section 230(2), ‘the provider’—	27
	<i>omit, insert—</i>	28
	the service provider	

[s 49]

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<b>Clause 49</b>	<b>Amendment of s 231 (Chief executive to advise on-disclosure)</b>	1 2
(1)	Section 231(1), after ‘service provider’— <i>insert</i> — or an NDIS non-government service provider	3 4 5
(2)	Section 231(2), after ‘service provider’— <i>insert</i> — or NDIS non-government service provider	6 7 8
<b>Clause 50</b>	<b>Replacement of s 233 (Monitoring and enforcement)</b>	9
	Section 233— <i>omit, insert</i> —	10 11
	<b>233 Chief executive may enter into arrangements about giving and receiving information about eligible persons</b>	12 13 14
(1)	The purpose of this section is to facilitate the monitoring and reconciliation of funding under this Act and other Acts and the NDIS Act by sharing information about persons who may be eligible persons.	15 16 17 18 19
(2)	If the chief executive requests auditing information about persons who may be eligible persons from the chief executive of another department, the other chief executive must comply with the request.	20 21 22 23 24
(3)	To facilitate the giving of auditing information about persons who may be eligible persons, the chief executive and the chief executive of the other department may enter into a written arrangement by which the auditing information is given or received.	25 26 27 28 29 30
(4)	Without limiting subsection (3), the arrangement may provide for the electronic transfer of	31 32

- 
- auditing information about persons who may be eligible persons. 1  
2
- (5) However, if auditing information about persons who may be eligible persons is to be electronically transferred and, under this Act, there is a limitation on who may access the information or the purposes for which the information may be used, the arrangement must provide for the limitation. 3  
4  
5  
6  
7  
8  
9
- (6) Without limiting section 228(5), the chief executive may disclose to the chief executive of another department under the arrangement mentioned in subsection (3) the fact that an eligible person has become, or will not become, a participant. 10  
11  
12  
13  
14  
15
- (7) In this section— 16
- auditing information*, about a person who may be an eligible person, means each of the following— 17  
18  
19
- (a) the person’s full name; 20
  - (b) the person’s unique agency client identifier, if any; 21  
22
  - (c) the person’s date of birth; 23
  - (d) the person’s gender; 24
  - (e) the person’s residential address; 25
  - (f) the name and full contact details of the person’s carer or guardian and details of any relationship between the person and the person’s carer or guardian. 26  
27  
28  
29
- eligible person* means a person receiving services funded or delivered by a department who may meet the access criteria under the NDIS Act, section 21. 30  
31  
32  
33

[s 51]

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<b>Clause 51</b>	<b>Insertion of new ss 241A and 241B</b>	1	
	Part 8, division 3—	2	
	<i>insert—</i>	3	
	<b>241A Review of impact of NDIS on Act</b>	4	
	(1) The Minister must review the efficacy and efficiency of this Act in the light of amendments of the Act made by the <i>Disability Services and Other Legislation Amendment Act 2015</i> .	5 6 7 8	
	(2) The review must be completed by 30 June 2019.	9	
	<b>241B Expiry of pt 6A</b>	10	
	Part 6A expires on 30 June 2019.	11	
<b>Clause 52</b>	<b>Insertion of new pt 9, div 10</b>	12	
	Part 9—	13	
	<i>insert—</i>	14	
	<b>Division 10</b>	<b>Transitional provisions for Disability Services and Other Legislation Amendment Act 2015</b>	15 16 17 18
	<b>339 Warrant may be executed</b>	19	
	(1) This section applies if, before 1 July 2019, a warrant is issued under section 200M and in force but not executed before that date.	20 21 22	
	(2) The warrant continues in force according to its terms and may be executed after 30 June 2019.	23 24	
	(3) Part 6A continues to have effect for all matters relating to the execution and enforcement of the warrant.	25 26 27	

---

<b>340 Offences against pt 6A may continue to be prosecuted</b>	1
	2
(1) This section applies if a person contravened—	3
(a) a provision of part 6A before 1 July 2019; or	4
(b) a provision of part 6A as it continued to have effect under section 339 after 30 June 2019.	5
	6
	7
(2) The person may be prosecuted and punished for the contravention despite the expiry of part 6A and, for the purpose of the prosecution and punishment, part 6A continues to have effect despite its expiry.	8
	9
	10
	11
	12

<b>Clause 53</b>	<b>Amendment of sch 8 (Dictionary)</b>	13
(1)	Schedule 8—	14
	<i>insert—</i>	15
	<i>authorised officer</i> means an authorised officer appointed under the <i>Community Services Act</i> , section 25.	16
		17
		18
	<i>electronic document</i> means a document of a type under the <i>Acts Interpretation Act 1954</i> , schedule 1, definition <i>document</i> , paragraph (c).	19
		20
		21
	<i>general power</i> see section 200S(1).	22
	<i>help requirement</i> see section 200T(1).	23
	<i>information requirement</i> see section 200W(3).	24
	<i>NDIS Act</i> means <i>National Disability Insurance Scheme Act 2013</i> (Cwlth).	25
		26
	<i>NDIS non-government service provider</i> see section 16A.	27
		28
	<i>occupier</i> , of a place, includes the following—	29

[s 53]

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- (a) if there is more than 1 person who apparently occupies the place—any 1 of the persons; 1  
2  
3
- (b) any person at the place who is apparently acting with the authority of a person who apparently occupies the place; 4  
5  
6
- (c) if no-one apparently occupies the place—any person who is an owner of the place. 7  
8  
9
- participant** has the meaning given by the NDIS Act, section 9. 10  
11
- participant’s plan** means a plan for a participant that is in effect under the NDIS Act, section 37. 12  
13
- plan**, for a participant, has the meaning given by the NDIS Act, section 9. 14  
15
- reasonably believes** means believes on grounds that are reasonable in the circumstances. 16  
17
- reasonably suspects** means suspects on grounds that are reasonable in the circumstances. 18  
19
- (2) Schedule 8, definition *consumer*, after ‘funded non-government service provider’— 20  
21  
*insert—* 22  
or an NDIS non-government service provider 23
- (3) Schedule 8, definition *engaged*, after ‘funded non-government service provider’— 24  
25  
*insert—* 26  
or an NDIS non-government service provider 27
- (4) Schedule 8, definition *regulated engagement*, paragraph (b), after ‘funded non-government service provider’— 28  
29  
*insert—* 30  
or an NDIS non-government service provider 31



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<b>Part 4</b>	<b>Amendment of Guardianship and Administration Act 2000</b>	1 2
<b>Clause 54</b>	<b>Act amended</b>	3
	This part amends the <i>Guardianship and Administration Act 2000</i> .	4 5
<b>Clause 55</b>	<b>Amendment of sch 2 (Types of matters)</b>	6
	Schedule 2, section 2—	7
	<i>insert—</i>	8
	(ba) services provided to the adult;	9
<b>Part 5</b>	<b>Amendment of Powers of Attorney Act 1998</b>	10 11
<b>Clause 56</b>	<b>Act amended</b>	12
	This part amends the <i>Powers of Attorney Act 1998</i> .	13
<b>Clause 57</b>	<b>Amendment of sch 2 (Types of matters)</b>	14
	Schedule 2, section 2—	15
	<i>insert—</i>	16
	(ba) services provided to the principal;	17

[s 58]

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**Part 6** **Amendment of Public Guardian Regulation 2014** 1  
2

**Clause 58** **Regulation amended** 3

This part amends the *Public Guardian Regulation 2014*. 4

**Clause 59** **Replacement of sch 1 (Visitable sites)** 5

Schedule 1— 6

*omit, insert—* 7

**Schedule 1** **Visitable sites** 8

section 3 9

*Note—* 10

An adult, with impaired capacity for a personal matter or a 11  
financial matter or with an impairment, who lives or receives 12  
services at a place prescribed in this schedule is a consumer. See 13  
the Act, section 39, definition *consumer*, paragraph (c). 14

**1 Prescribed visitable sites** 15

(1) A place, other than a private dwelling house, that 16  
is any of the following— 17

(a) a place— 18

(i) where an adult with impaired capacity 19  
for a personal matter or a financial 20  
matter, or with an impairment, lives; 21  
and 22

(ii) that is wholly or partly funded by— 23

(A) the department that is mainly 24  
responsible for disability services; 25  
or 26

- 
- (B) the department that is mainly responsible for public health; 1  
2
- (b) a place where an adult with impaired capacity for a personal matter or a financial matter, or with an impairment— 3  
4  
5
- (i) lives; and 6
- (ii) receives services from— 7
- (A) the department that is mainly responsible for disability services; 8  
9  
or 10
- (B) an entity that receives financial assistance from the department that is mainly responsible for disability services, or from the department that is mainly responsible for public health, to supply the service; 11  
12  
13  
14  
15  
16  
17
- (c) a place, other than an aged care facility, where an adult with an impairment— 18  
19
- (i) lives; and 20
- (ii) receives services from the department that is mainly responsible for public health; 21  
22  
23
- (d) a place— 24
- (i) where an adult with impaired capacity for a personal matter or a financial matter, or with an impairment, lives; and 25  
26  
27  
28
- (ii) that is part of premises to which one of the following applies— 29  
30
- (A) a residential service conducted in the premises is registered under the *Residential Services (Accreditation) Act 2002* and 31  
32  
33  
34

[s 59]

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- personal care services are 1  
provided in the premises; 2
- (B) there is a current application for 3  
level 3 accreditation under that 4  
Act of a residential service 5  
conducted in the premises; 6
- (C) a residential service conducted in 7  
the premises is accredited at level 8  
3 under that Act; 9
- (e) a place where a funded adult participant 10  
with impaired capacity for a personal matter 11  
or a financial matter, or with an impairment, 12  
lives. 13
- (2) In subsection (1)— 14
- funded adult participant*** means an adult who is a 15  
participant and has a participant’s plan. 16
- NDIS Act*** means *National Disability Insurance* 17  
*Scheme Act 2013* (Cwlth). 18
- participant*** has the meaning given by the NDIS 19  
Act, section 9. 20
- participant’s plan*** means a plan for a participant 21  
that is in effect under the NDIS Act, section 37. 22
- plan***, for a participant, has the meaning given by 23  
the NDIS Act, section 9. 24

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<b>Part 7</b>	<b>Amendment of Working with Children (Risk Management and Screening) Act 2000</b>	1
		2
		3
<b>Clause 60</b>	<b>Act amended</b>	4
	This part amends the <i>Working with Children (Risk Management and Screening) Act 2000</i> .	5
		6
<b>Clause 61</b>	<b>Amendment of sch 1 (Regulated employment and businesses for employment screening)</b>	7
		8
	(1) Schedule 1, section 6(2)(a), (3)(d)(i) and (ii)(A), after ‘provider’—	9
	<i>insert—</i>	10
	or an NDIS non-government service provider	11
		12
	(2) Schedule 1, section 6(2)(b), ‘funded non-government’—	13
	<i>omit.</i>	14
	(3) Schedule 1, section 6(4), definition <i>consumer</i> , after ‘provider’—	15
	<i>insert—</i>	16
	or an NDIS non-government service provider	17
		18
	(4) Schedule 1, section 16(1)(d), after ‘provider’—	19
	<i>insert—</i>	20
	or an NDIS non-government service provider	21
		22
<b>Clause 62</b>	<b>Amendment of sch 7 (Dictionary)</b>	22
	Schedule 7—	23
	<i>insert—</i>	24
	<i>NDIS non-government service provider</i> see the	25
	<i>Disability Services Act 2006</i> , section 16A.	26

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