

Senate Community Affairs Legislation Committee
Public Hearing – 6 August 2024
NDIS Amendment (Getting the NDIS Back on Track No.1) Bill 2024
ANSWER TO QUESTION ON NOTICE
National Disability Insurance Agency

Topic: Transitional Rules

Question reference number: NDIA IQ24-000057

Question asked by: Jordon Steele-John

Type of Question: Spoken. Hansard Page: 15

Date set by the Committee for the return of answer: 7 August 2024

Question:

Senator STEELE-JOHN: Just to be clear, though, until the states and territories agree, the transitional rules will be the rules which guide the determination of what is and is not considered an NDIS support.

Ms Falkingham: That's correct.

Senator STEELE-JOHN: And, while you hope that the negotiations will be fruitful, if they are not, or we run into more challenges with those negotiations, there isn't a specific time period within which the transitional rules will be automatically reconsidered or lapse in any way, is there?

Ms Falkingham: I think that's correct. I will take it on notice to make sure that that's absolutely correct, but that's my understanding as well.

Answer:

Under items 124 and 138 of the Bill, transitional rules for the definition of NDIS supports in section 10 are in place until replaced by a Category A rule agreed by the Commonwealth and all states and territories. There are no time periods in the Bill about when transitional rules must be reconsidered or lapse if a Category A rule is not agreed with states and territories.