



# **National Disability Insurance Scheme (Getting the NDIS Back on Track No. 1) (NDIS Supports) Transitional Rules 2024**

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I, Bill Shorten, Minister for the National Disability Insurance Scheme, make the following rules.

Dated 2024

Bill Shorten  
Minister for the National Disability Insurance Scheme

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## Part 1—Preliminary

### 1 Name

This instrument is the *National Disability Insurance Scheme (Getting the NDIS Back on Track No. 1) (NDIS Supports) Transitional Rules 2024*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The later of: (a) the day after this instrument is registered; and (b) the day on which Schedule 1 to the <i>National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Act 2024</i> commences.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under item 138 of Schedule 1 to the *National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Act 2024*.

### 4 Definitions

- (1) In this instrument:

**amending Act** means the *National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Act 2024*.

**cultural activity** means a cultural activity for a participant or prospective participant person who is an Indigenous person, and includes practices, ways of understanding the world, and methods of expression such as language, celebrations, and events. For this purpose, it is noted that:

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- (a) individual Aboriginal and Torres Strait Islander cultures have specific spiritualities and lore, and therefore obligations or responsibilities, that are connected to Country and community; and
- (b) this Connection to Country, Lore and Spirituality is a way of understanding life, identity and connection with others, or kinship.

**eligible assistance animal** means a dog or other animal that is:

- (a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- (b) accredited by an animal training organisation prescribed in regulations made under section 132 of the *Disability Discrimination Act 1992* for the purposes of paragraph 9(2)(b) of that Act; or
- (c) accredited by a registered NDIS provider who is registered to provide assistance animals under section 73E of the NDIS Act; or
- (d) trained to assist a person with a disability to alleviate the effect of the disability and to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

**Hearing Services Program** means the program under which hearing services (within the meaning of the *Hearing Services Administration Act 1997*) are provided by:

- (a) contracted service providers in accordance with agreements entered into under Part 3 of that Act; or
- (b) without limiting paragraph (a)—Australian Hearing Services under the *Australian Hearing Services Act 1991*.

**high intensity daily personal activities** mean the following activities:

- (a) complex bowel care;
- (b) enteral feeding and management;
- (c) severe dysphagia management;
- (d) tracheostomy management;
- (e) urinary catheter management;
- (f) ventilator management;
- (g) subcutaneous injections;
- (h) complex wound management.

Note: Information about high intensity daily personal activities could in 2024 be viewed on the Commission's website ([www.ndiscommission.gov.au](http://www.ndiscommission.gov.au)).

**NDIS Act** means the *National Disability Insurance Scheme Act 2013*.

**replacement support determination** means a determination under subsection 10(6) of the NDIS Act.

**specialised vehicle driving instructor** in relation to driver training means a person who:

- (a) is registered or licensed as a driving instructor in the State or Territory in which the driver training is to occur; and

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(b) has experience and training in providing driving instruction to people with disability.

***standard item*** for a participant or prospective participant means an item that is not modified or adapted to address the functional impairments of the participant or prospective participant.

(2) An expression that is defined for the purposes of the NDIS Act has the same meaning when used in this instrument as it has in that Act.

## Part 2—What supports are NDIS supports

### 5 What supports are NDIS supports—general rule

#### *Supports that are NDIS supports unless otherwise provided*

- (1) For the purposes of subsection 10(1) of the NDIS Act, a support covered by column 2 of an item in the table in clause 1 of Schedule 1 to this instrument is an NDIS support (subject to subsections 10(4) and (9) of the NDIS Act and subsection (2) of this section) for:
- (a) participants specified in column 3 of the item who have old framework plans; and
  - (b) prospective participants specified in column 3 of the item, other than prospective participants who, if they were participants, would be required to be given notice under subsection 32B(2) of the NDIS Act (participants that are to have new framework plans).

Note 1: Subsection 10(4) of the NDIS Act allows supports to be declared to not be NDIS supports for participants or prospective participants. Those supports are declared under subsection (2) of this section.

Note 2: Subsection 10(9) of the NDIS Act provides that a support is not an NDIS support for a participant or prospective participant if the support consists of the provision of:

- (a) sexual services; or
- (b) alcohol; or
- (c) drugs, the possession of which is a contravention of a law of the Commonwealth, a State or a Territory.

#### *Supports that generally are not NDIS supports*

- (2) For the purposes of subsection 10(4) of the NDIS Act, a support covered by column 2 of an item in the table in clause 1 of Schedule 2 to this instrument is not an NDIS support for any participant (subject to subsection 10(6) of the NDIS Act) or prospective participant.

Note 1: Subsection 10(6) of the NDIS Act allows the CEO, on application by a participant, to determine that a support is taken to not be declared under subsection 10(4) of that Act in relation to the participant if, among other things, the CEO is satisfied that the support would replace one or more other supports that are NDIS supports for the participant.

Note 2: Determinations under subsection 10(6) of the NDIS Act are referred to in this instrument as replacement support determinations. For additional rules about replacement support determinations, see section 7 of this instrument.

#### *Interpretive provision*

- (3) A reference in this section to a provision of section 10 of the NDIS Act is a reference to the provision as modified (if at all) by item 124 of the amending Act.

Note: That item provides that, until the first National Disability Insurance Scheme rules are made for the purposes of subsection 10(1) of the NDIS Act, section 10 of that Act has effect as if a reference in that section to the National Disability Insurance Scheme rules were a reference to rules made under item 138 of Schedule 1 to the amending Act.



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**6 Transitional rule for certain pre-commencement plans**

- (1) This section applies in relation to a participant if the plan that is in effect for the participant includes a statement of participant supports approved by the CEO before the commencement of Schedule 1 to the amending Act.
- (2) A support specified in the statement as a reasonable and necessary support for the participant for the purposes of paragraph 33(2)(b) of the NDIS Act is taken to be an NDIS support for the participant if:
  - (a) the support is expressed in the statement to be a stated support; or
  - (b) the Administrative Appeals Tribunal, in making any of the following decisions before the commencement of Schedule 1 to the amending Act:
    - (i) a decision to vary the statement;
    - (ii) a decision to approve the statement, having set aside the approval of a different statement of participant supports for the participant;
    - (iii) a decision to remit the approval of a statement of participant supports for the participant for reconsideration by the CEO;  
made a decision to the effect that that particular support should be specified in, or funded under, the plan as a reasonable and necessary support.
- (3) For the purposes of subparagraph (2)(b)(iii), it does not matter:
  - (a) whether the Tribunal remitted the approval of the statement in accordance with any directions or recommendations of the Tribunal; or
  - (b) whether the Tribunal also set aside the approval of the statement.
- (4) Subsection (2) applies:
  - (a) despite subsection 10(4) of the NDIS Act and subsection 5(2) of this instrument; but
  - (b) subject to subsection 10(9) of the NDIS Act.

Note 1: Subsection 10(4) of the NDIS Act allows supports to be declared to not be NDIS supports for participants or prospective participants. Those supports are declared under subsection 5(2) of this instrument.

Note 2: Subsection 10(9) of the NDIS Act provides that a support is not an NDIS support for a participant if the support consists of the provision of:

- (a) sexual services; or
- (b) alcohol; or
- (c) drugs, the possession of which is a contravention of a law of the Commonwealth, a State or a Territory.

## Part 3—Replacement support determinations

### 7 Replacement support determinations

*Supports for which determinations may be made*

- (1) For the purposes of paragraph 10(6)(a) of the NDIS Act, the CEO may make a replacement support determination in relation to a support covered by column 1 of an item in the table in subsection (3) of this section.
- (2) For the purposes of subparagraph 10(6)(d)(iv) of the NDIS Act, the CEO must be satisfied that the conditions set out in column 2 of an item in the table in subsection (3) are met before making a replacement support determination in relation to a support covered by column 1 of the item.
- (3) The table is as follows:

Replacement support determinations		
	Column 1	Column 2
Item	Supports	Conditions
1	Standard commercially available household items	The support must: <ol style="list-style-type: none"><li>(a) be necessary to address needs of the participant arising from an impairment in relation to which the participant meets the disability requirements or the early intervention requirements; and</li><li>(b) increase whole task independence; and</li><li>(c) reduce or eliminate the need for a support worker or disability specific assistive technology.</li></ol>
2	The following: <ol style="list-style-type: none"><li>(a) smart watches;</li><li>(b) tablets;</li><li>(c) smartphones;</li><li>(d) an app used for accessibility or communication purposes</li></ol>	The support must be necessary to address communication or accessibility needs of the participant arising from an impairment in relation to which the participant meets the disability requirements or the early intervention requirements.

*Circumstances in which application for determination may not be made*

- (4) For the purposes of paragraph 10(7)(c) of the NDIS Act, an application for a replacement support determination for one or more supports may not be made if the application would result in the participant making more than one such application for any of those supports:
  - (a) if the reassessment date of the participant's plan is less than 12 months after the plan came into effect—while the plan is in effect; or

(b) otherwise—during any 12-month period starting while the plan is in effect.

*Interpretive provision*

(5) A reference in this section to a provision of section 10 of the NDIS Act is a reference to the provision as modified (if at all) by item 124 of the amending Act.

Note: That item provides that, until the first National Disability Insurance Scheme rules are made for the purposes of subsection 10(1) of the NDIS Act, section 10 of that Act has effect as if a reference in that section to the National Disability Insurance Scheme rules were a reference to rules made under item 138 of Schedule 1 to the amending Act.

## Schedule 1—Supports that are NDIS supports unless otherwise provided

Note: See subsection 5(1)

### 1 Supports that are NDIS supports unless otherwise provided

The following table sets out supports that are NDIS supports for participants and prospective participants (subject to subsections 10(4) and (9) of the NDIS Act and subsection 5(2) of this instrument):

<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
1	Accommodation assistance or tenancy assistance	<p>Supports that build capacity, guide, prompt, or assist a participant to do activities for finding or keeping appropriate accommodation.</p> <p>This includes the following:</p> <p>(a) supports that help a participant apply for a rental tenancy or to take part in tenancy obligations in line with their tenancy agreement;</p> <p>(b) medium term accommodation where a participant cannot move into long term accommodation due to that accommodation or other supports not being ready and current accommodation is not suitable.</p>	<p>The following:</p> <p>(a) for supports covered by paragraph (b) in column 2— participants who have the support stated in their plan;</p> <p>(b) for all other supports in this category— participants or prospective participants generally.</p>
2	Assistance animals	<p>Support provided by an eligible assistance animal.</p> <p>This includes the following:</p> <p>(a) assessment, matching and provision of an eligible assistance animal;</p> <p>(b) dietary needs;</p> <p>(c) grooming;</p> <p>(d) veterinary services including flea and worm treatments, medication, and vaccinations;</p> <p>(e) yearly reviews to maintain accreditation.</p>	<p>Participants who have the support stated in their plan and prospective participants who are likely to have this support stated in their plan</p>
3	Assistance in coordinating or managing life stages, transitions and supports	<p>Supports provided on a short-term basis that provide assistance to manage life transitions.</p> <p>This includes the following:</p> <p>(a) transition from or to new educational or employment settings;</p>	<p>Participants or prospective participants generally</p>

<b>Supports that are NDIS supports unless otherwise provided</b>			
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>	<b>Column 3 Participants and prospective participants</b>
		(b) transition to new living arrangements; (c) support before and immediately following hospital discharge where there has been a change to a participant's disability support needs prior to hospital admission; (d) transition out of a mental health setting; (e) transition out of a custodial setting.	
4	Assistance to access and maintain employment or higher education	Supports that build a participant's capacity to successfully prepare for, find or keep employment in the open labour market (including self-employment and micro-enterprise) or the supported labour market.  This includes the following: (a) employment preparation complementary to that delivered while at school and when leaving school; (b) assistance for a participant to transition to employment; (c) further education and training.	Participants or prospective participants generally
5	Assistance with daily life tasks in a group or shared living arrangement	Supports that provide assistance with or supervision of daily living tasks to participants in a shared living environment.  This includes the following: (a) supports provided on a temporary or ongoing basis; (b) supports for short term accommodation and respite; (c) supports provided to participants living in residential aged care facilities.	Participants or prospective participants generally
6	Assistance with travel or transport arrangements	Supports that provide transport assistance to participants that cannot travel or use public transport independently.  This includes the following: (a) transport for the purposes of participants undertaking community-based activities; (b) transport for the purposes of participants attending school or other educational facilities; (c) provider travel costs; (d) costs associated with the use of taxis or	Participants or prospective participants generally

**Schedule 1** Supports that are NDIS supports unless otherwise provided

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**Supports that are NDIS supports unless otherwise provided**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
		private transport; (e) in-kind specialist school transport; (f) travel training to build a participant's confidence and skills to use public transport safety and independently.	
7	Assistive equipment for recreation	The provision of assistive products used in sports or other recreational activities. This includes the following: (a) personal recreation equipment modification and sporting equipment modification; (b) services to assess and prescribe, deliver, adjust and train a participant in successful use of an assistive product; (c) maintenance, spare parts and consumable items specific to an assistive product.	Participants or prospective participants generally
8	Assistive products for household tasks	The provision of assistive products that support a participant to carry out domestic and everyday actions and tasks within a participant's home. This includes the following: (a) assistive products for the preparation of food and drink; (b) assistive products to facilitate house cleaning, gardening or laundry; (c) additional costs to upgrade or modify standard household items to household items that include accessibility features that address a participant's support needs; (d) services to assess and prescribe, deliver, adjust and train a participant in successful use of an assistive product; (e) maintenance, spare parts and consumable items specific to an assistive product.	Participants or prospective participants generally
9	Assistive products for personal care and safety	Provision of assistive products for self-care activities and participation in self-care. This includes the following: (a) modified foods, including for the purposes of percutaneous endoscopic gastrostomy feeding; (b) products to facilitate washing and drying the participant's body, caring for the participant's body and body parts,	Participants or prospective participants generally

<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
		dressing and protecting the participant's body; (c) modified or adaptive clothing; (d) modified or adaptive products to manage menstruation including applicators and period underwear; (e) products to manage incontinence; (f) furniture and other products that are adapted or specifically made to be placed in or added to a participant's home (including indoor and outdoor areas) to help with movement, positioning and other safety needs, including entry and exit of the environment; (g) services to assess and prescribe, deliver, adjust and train a participant in successful use of an assistive product; (h) maintenance, spare parts and consumable items specific to an assistive product; (i) visual and tactile alerting systems.	
10	Specialist positive behaviour support	Supports that are provided by professionals with specialist skills in positive behaviour support. This includes the following: (a) assessment, development and delivery of a comprehensive plan that aims to reduce and manage behaviours of concern; (b) training and ongoing monitoring of staff in implementation of a behaviour support plan; (c) training and capacity building for a participant's informal supports in the use of positive behaviour support; (d) development and delivery of interim or transitional plans.	Participants who have the support stated in their plan and prospective participants who are likely to have this support stated in their plan
11	Communication and information equipment	The provision of assistive products to support communication and information management. This includes the following: (a) products that help a participant to receive, send, produce and/or process information in different forms; (b) products that facilitate a participant	Participants or prospective participants generally

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**Supports that are NDIS supports unless otherwise provided**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
		<p>communicating by language, signs and symbols, receiving and producing messages, having conversations and using communication devices and techniques;</p> <p>(c) services to assess and prescribe, deliver, adjust and train a participant in successful use of an assistive product;</p> <p>(d) maintenance, spare parts and consumable items specific to an assistive product.</p>	
12	Community nursing care	<p>Supports that provide disability-related nursing care for participants with high care needs (not including high intensity daily personal activities), requiring a high level of clinical skill.</p> <p>This includes the following:</p> <p>(a) catheter care;</p> <p>(b) skin integrity checks;</p> <p>(c) tracheostomy care;</p> <p>(d) medication management;</p> <p>(e) intramuscular injections;</p> <p>(f) training of support workers to respond to a participant’s complex needs.</p>	Participants or prospective participants generally
13	Prostheses and orthoses	<p>Assistive products externally applied to replace, wholly or in part an absent or deficient body segment which assists participant control and functioning of their neuromuscular skeletal systems.</p> <p>This includes the following:</p> <p>(a) design, manufacture and fit of customised functional prosthetics and orthotics;</p> <p>(b) assessment and specification (prescription) of a product by a professionally qualified prosthetist, orthotist, pedorthotist, podiatrist, or occupational therapist trained in provision of that product;</p> <p>(c) osseo-integrated, external products;</p> <p>(d) services to train a participant in successful use of an assistive product;</p> <p>(e) maintenance, spare parts and consumable items specific to an assistive product.</p>	Participants or prospective participants generally
14	Daily personal	Supports that provide supervision or	Participants or



<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
	activities	<p>assistance with personal daily living tasks to help a participant to live as independently as possible in their own home and in the community.</p> <p>This includes the following:</p> <ul style="list-style-type: none"> <li>(a) assistance with eating and drinking, dressing and toileting;</li> <li>(d) maintaining personal hygiene, including showering, bathing, hair washing and drying, fingernail and toenail cutting and cleaning;</li> <li>(e) moving and positioning;</li> <li>(f) in-kind personal care in school.</li> </ul>	prospective participants generally
15	Development of daily care and life skills	<p>Supports that provide training and development activities for participants or carers to increase a participant's ability to live as independently as possible (including as part of psychosocial recovery supports).</p> <p>This includes increasing the participant's ability to independently undertake the following activities:</p> <ul style="list-style-type: none"> <li>(a) shopping;</li> <li>(b) meal preparation;</li> <li>(c) managing finances;</li> <li>(d) managing a participant's own personal care;</li> <li>(e) travel and use public transport;</li> <li>(f) engage in social activities;</li> <li>(g) improve relationship and social skills.</li> </ul>	Participants or prospective participants generally
16	Disability-related health supports	<p>Health supports that relate to the functional impact of a participant's disability.</p> <p>This includes the following:</p> <ul style="list-style-type: none"> <li>(a) supports, services and assistive products to manage dysphagia, diabetes, continence, wound and pressure care, respiration, nutrition, podiatry and foot care, and seizures;</li> <li>(b) supports for people with complex communication access needs or behaviours when accessing health or mental health services, including hospitals and in-patient facilities;</li> <li>(c) specialist allied health services and</li> </ul>	Participants or prospective participants generally

**Schedule 1** Supports that are NDIS supports unless otherwise provided

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**Supports that are NDIS supports unless otherwise provided**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
		<p>supports that facilitate enhanced functioning and community re-integration of people with recently acquired severe conditions including newly acquired spinal cord and severe acquired brain injury;</p> <p>(d) training support workers, family and friends to perform roles where appropriate.</p>	
17	Early intervention supports for early childhood	<p>Supports that are evidence-based early childhood intervention supports for children 0-9 years (including children aged 0-6 with developmental delay) and their families to achieve better long-term outcomes for the child.</p> <p>This includes the following:</p> <p>(a) therapy provided by allied health professionals including speech pathologists and occupational therapists;</p> <p>(b) a key worker for a child’s family.</p>	Participants or prospective participants generally
18	Exercise physiology and personal well-being activities	<p>Supports that maintain or increase physical mobility or well-being through personal training or exercise physiology to address the functional impact of the participant’s disability.</p> <p>This includes the following:</p> <p>(a) accessing services from an appropriately qualified professional;</p> <p>(b) assessment and development of a personalised exercise program which aims to increase or maintain a participant’s functional capacity;</p> <p>(c) maintenance of muscle strength, range of motion, balance and mobility.</p>	Participants or prospective participants generally
19	Group and centre based activities	Supports for participants to access and participate in community, social, cultural and recreational activities that are provided in a group setting, either in the community or in a centre.	Participants or prospective participants generally
20	Hearing equipment	The provision of hearing equipment directly related to a participant’s permanent hearing impairment that is not provided through the Hearing Services Program for the participant.	Participants or prospective participants generally
21	High intensity daily	Supports that assist a participant with	Participants who have

<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
	personal activities	<p>complex to undertake high intensity daily personal activities.</p> <p>These supports must be provided by a worker with additional qualifications and experience relevant to the participant’s complex or psychosocial needs.</p> <p>This includes the following:</p> <p>(a) a suitably qualified worker undertaking the activities;</p> <p>(b) a suitably qualified worker supervising the participant or another person in the participant’s support network undertaking the activities.</p>	the support stated in their plan and prospective participants that are likely to have this support stated in their plan
22	Home modification design and construction	<p>Supports that design, change or modify a participant’s home to help the participant live as independently as possible and to live safely at home.</p> <p>This includes the following:</p> <p>(a) installing equipment or changing a building’s structure, fixture or fittings;</p> <p>(b) internal and external building modifications to remedy damage arising exclusively from disability-related behaviours or use of NDIS funded assistive technology or equipment;</p> <p>(c) regulatory certification requirements for works.</p>	Participants who have the support stated in their plan and prospective participants that are likely to have this support stated in their plan
23	Household tasks	<p>Supports that provide assistance with essential household tasks that a participant is not able to do themselves because of their disability.</p> <p>This includes the following:</p> <p>(a) meal preparation and delivery;</p> <p>(b) house or yard maintenance;</p> <p>(c) cleaning and laundry.</p>	Participants or prospective participants generally
24	Innovative community participation	<p>Supports that are tailored for individual participants with extraordinary support needs to assist them to participate in the community.</p> <p>Extraordinary support needs arise due to a participant’s specific situational and personal circumstances.</p>	Participants who have the support stated in their plan and prospective participants that are likely to have this support stated in their plan
25	Interpreting and	Supports that assist a participant with	Participants or

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<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
	translation	independent communication in personal, social, cultural or community activities where translation and interpretation is needed as a result of their disability.	prospective participants generally
26	Management of funding for supports	Supports provided by a registered plan management provider to manage the funding of supports under a participant's plan.	Participants who have the support stated in their plan
27	Participation in community, social and civic activities	Supports that assist a participant to take part in community, social, cultural and civic activities.  This includes the following: (a) supporting participants during relevant activities; (b) working with participants to develop their ability to partake in these activities.	Participants or prospective participants generally
28	Personal mobility equipment	The provision of personal mobility equipment that supports or replaces a participant's capacity to move indoors and outdoors and to transfer from one place to another.  This includes the following: (a) assistive products for walking; (b) wheelchairs and motorised mobility devices; (c) transfer devices and hoists; (d) services to train a participant in successful use of equipment provided; (e) maintenance, spare parts and consumable items specific to equipment provided.	Participants or prospective participants generally
29	Specialist disability accommodation	The provision of specialist disability accommodation which is accommodation for a participant who requires specialist housing solutions, including to assist with the delivery of supports that cater for the person's extreme functional impairment or very high support needs.	Participants who have the support stated in their plan and prospective participants that are likely to have this support stated in their plan
30	Specialised driver training	Supports that provide driver training with a specialised vehicle driving instructor.  Supports that provide training on the use of adapted equipment or vehicle modifications.	Participants who have the support stated in their plan and prospective participants that are likely to have this support stated in their plan
31	Specialised hearing	Specialist audiological services provided by	Participants or

<b>Supports that are NDIS supports unless otherwise provided</b>			
	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
	services	<p>an allied health professional for participants with complex needs.</p> <p>This includes the following:</p> <p>(a) assessing hearing impairment;</p> <p>(b) prescription of audiological aids and equipment.</p>	prospective participants generally
32	Specialised supported employment	Supports that provide a participant with assistance to prepare for, find and retain a job in the participant's employment setting of choice.	Participants or prospective participants generally
33	Support coordination	<p>Supports that assist participants to connect with informal community and funded supports (including as part of psychosocial recovery supports).</p> <p>This includes the following:</p> <p>(a) building a participant's capacity to connect with supports;</p> <p>(b) assisting participants to understand and utilise their plan;</p> <p>(c) connecting with providers and mainstream services;</p> <p>(d) addressing barriers and reducing complexity in the support environment.</p>	Participants who have the support stated in their plan
34	Therapeutic supports	<p>Supports that provide evidence-based therapy to help participants improve or maintain their functional capacity in areas such as language and communication, personal care, mobility and movement, interpersonal interactions, functioning (including psychosocial functioning) and community living.</p> <p>This includes an assessment by allied health professionals for support planning and review as required.</p>	Participants or prospective participants generally
35	Vehicle modifications	<p>The provision of assistive products that can be added to vehicles or modifications made to vehicles that help a participant to operate, enter, exit or ride in the vehicle safely.</p> <p>This includes the following:</p> <p>(a) passenger and wheelchair hoists;</p> <p>(b) modified controls;</p> <p>(c) modified restraints and modified car</p>	Participants or prospective participants generally

**Schedule 1** Supports that are NDIS supports unless otherwise provided

Clause 1

**Supports that are NDIS supports unless otherwise provided**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	
<b>Item</b>	<b>Category</b>	<b>Supports</b>	<b>Participants and prospective participants</b>
		seats; (d) certification costs for registration and additional vehicle insurance premium costs as a direct result of a modification; (e) services to assess and prescribe, deliver, adjust and train a participant in successful use of an assistive product or modification; (f) maintenance, spare parts and consumable items specific to an assistive product or modification.  This support does not include the purchase of a vehicle.	
36	Vision equipment	The provision of products for navigation, orientation, braille, magnifiers and note taking equipment.	Participants or prospective participants generally

## Schedule 2—Supports that generally are not NDIS supports

Note: See subsection 5(2)

### 1 Supports that generally are not NDIS supports

The following table sets out supports that are not NDIS supports for:

- (a) a participant (unless a replacement support determination covering the support is in force for the participant); or
- (b) a prospective participant.

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
1	Day-to-day living costs— accommodation and household	The following: <ul style="list-style-type: none"> <li>(a) rent, rental bonds, home and property deposits, stamp duty, mortgage repayments, and strata fees;</li> <li>(b) purchase of land, or house and land packages;</li> <li>(c) standard home security and maintenance costs, fencing, gates, and building repairs;</li> <li>(d) pools, pool heating and maintenance, spa baths, saunas, and steam rooms;</li> <li>(e) standard home repairs, home improvements, standard renovations and maintenance;</li> <li>(f) water, gas and electricity bills, council rates, land taxes and levies;</li> <li>(g) water filters, purifiers, or aerators;</li> <li>(h) electricity generators, solar panels, home batteries for power storage, hot water and gas systems;</li> <li>(i) standard household (including garden) items, appliances, tools and products;</li> <li>(j) standard furniture, fixtures or fittings.</li> </ul>
2	Day-to-day living costs— finance and payments	The following: <ul style="list-style-type: none"> <li>(a) donations, tithes, gifts, and political contributions;</li> <li>(b) fines, penalties, and court-ordered amounts;</li> <li>(c) travel insurance, life insurance, income protection insurance, home and contents insurance, car insurance and excess insurance for novated vehicles;</li> <li>(d) health insurance, ambulance membership, gap payments for Medicare-funded services and private health insurance claims;</li> <li>(e) superannuation for the participant, or a member of a self managed superannuation fund (within the meaning of the <i>Superannuation Industry (Supervision) Act 1993</i>) of which the participant is a member;</li> </ul>

**Schedule 2** Supports that generally are not NDIS supports

Clause 1

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		<ul style="list-style-type: none"> <li>(f) fringe benefits for staff or contractors;</li> <li>(g) education and tuition fees including fees for school, vocational education and training and higher education;</li> <li>(h) legal costs;</li> <li>(i) child support fees and debt repayments;</li> <li>(j) gift cards;</li> <li>(k) business development costs and business skills development costs, including company registration, book-keeping, accounting services or software;</li> <li>(l) debts, liabilities, loan repayments, buy now pay later payments, and taxes.</li> </ul>
3	Day-to-day living costs— food and groceries	<p>The following:</p> <ul style="list-style-type: none"> <li>(a) groceries including all food, beverage, cleaning, household and health products;</li> <li>(b) fast food services, takeaway food and food delivery platforms.</li> </ul> <p>Meal delivery platforms where the food and ingredient component can be separately identified from the meal preparation and delivery components are not included in paragraph (b).</p>
4	Day-to-day living costs— lifestyle	<p>The following:</p> <ul style="list-style-type: none"> <li>(a) cigarettes, vapes and smoking paraphernalia, and legal cannabis;</li> <li>(b) smoking cessation devices such nicotine replacement items;</li> <li>(c) gambling;</li> <li>(d) internet devices (such as modems and routers), land line phones, mobile phones (including smart phones), mobile phone accessories, tablets and sim cards;</li> <li>(e) internet, landline and mobile phone plans and data;</li> <li>(f) standard computers, standard computer accessories, consoles and games, and subscriptions for streaming services;</li> <li>(g) standard recreational equipment and tools, including toys, balls and racquets;</li> <li>(h) costs associated with recreational sports and activities, including membership costs, venue hire fees, uniforms and footwear;</li> <li>(i) costs associated with elite or professional sports and activities, including equipment and modifications to equipment and related travel costs;</li> <li>(j) dating or relationship services, including virtual reality, match makers or apps;</li> <li>(k) costs associated with weddings, honeymoons, funerals, and other social, business, private, public, formal or</li> </ul>



<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		informal events; (l) musical instruments, music production and social media production; (m) tickets to theme parks, tourism and entertainment operators; (n) tickets to music, theatre, cinema or sporting events, and conference fees or entrance fees; (o) accommodation to attend or participate in work, study, music, theatre, cinema, sporting events or conferences, or any other social, business, private, public, formal or informal event; (p) standard indoor or outdoor play equipment; (q) general health, fitness, social or recreational activity costs or services; (r) membership and entry to a recreational club and standard gym equipment; (s) non-prescription medicines, sunscreens, weight loss products, vitamins, sport or athletic supplements, and homeopathic medicines.
5	Day-to-day living costs— clothing and beauty	The following: (a) jewellery and watches (including smart watches); (b) makeup, cosmetic treatments, cosmetics, and cosmetic accessories; (c) standard clothing and footwear; (d) hair treatments, cutting, dying, styling, extensions, threading, weaving, hair replacements and transplants and wigs; (e) manicures, pedicures, false nail application or removal of any kind, nail painting and removal, nail decorations, nail piercings, hand or foot massage or treatments; (f) body art including body piercings, tattoo services, and henna.
6	Day-to-day living costs— travel and transport	The following: (a) cruises, holiday packages, holiday accommodation, and airfares, including interstate and overseas travel, and passports, visas, activities and meals included in travel; (b) vehicles, including motor vehicles, motorbikes, watercraft, all-terrain vehicles, standard bikes and scooters, and other recreational vehicles; (c) vehicles, devices, modifications or products that are not legal for use in the relevant state or territory; (d) mechanical repairs (except for repairs to vehicle modifications funded under any plan for the participant), automotive tools; (e) vehicle registration;

**Schedule 2** Supports that generally are not NDIS supports

Clause 1

**Supports that generally are not NDIS supports**

<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		(f) personal mobility devices, including e-scooters, electric bikes and skateboards; (g) transport for children as part of their reasonable care and support provided by families or carers; (h) petrol, diesel and gas.
7	Day-to-day living costs— pets	The following: (a) animals, including pets and companion animals (other than eligible assistance animals); (b) pet food for animals (other than eligible assistance animals included in a participant's plan); (c) veterinarian costs, pet boarding, pet grooming for animals (other than eligible assistance animals included in a participant's plan); (d) pet insurance; (e) taxidermy and pet cremations, burials or funerals.
8	Day-to-day living costs— reproductive health and family related	Surrogacy and fertility treatments.
9	Not evidenced based— alternative and complementary therapies	The following: (a) crystal therapy; (b) tarot card reading, psychics, mediums, and clairvoyants; (c) cuddle therapy; (d) reflexology; (e) aromatherapy; (f) sound therapy; (g) yoga therapy; (h) wilderness therapy; (i) animal therapy, including puppy therapy and goat therapy; (j) hair therapy; (k) alternative or complementary medicine.
10	Not evidenced based— wellness and coaching	The following: (a) massage that is not provided by an allied health professional for disability related purposes; (b) sports or athletic supplements; (c) life coaches, wellness coaches, career coaches, or cultural coaches; (d) hypnotherapy; (e) neurofeedback; (f) gaming therapy; (g) mastermind coaching, including apps and software; (h) somatic therapy (i) kinesiology.

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
11	Not evidenced based— energy and healing practices related	The following: (a) reiki (including intuitive reiki); (b) scalar lounge; (c) frequency healing and energy balanced massage; (d) deep energy clearing; (e) spinal flow technique; (f) shamanic healing.
12	Health	The following: (a) the diagnosis, early intervention and clinical treatment of health and dental health conditions, including ongoing or chronic health conditions; (b) diagnostic assessments and screening services; (c) time-limited, recovery-oriented services and therapies: (i) where the predominant purpose is treatment directly related to the person’s health status; or (ii) that are provided after a recent medical or surgical event, with the aim of improving the person’s functional status, including post-acute rehabilitation or post-acute care; (d) pharmaceuticals (including prescription medicines and non-prescription medicines), biological medicines, vaccines, sunscreens, weight loss products, vitamins, sport and athletic supplements, and homeopathic medicines; (e) equipment or assistive products prescribed or issued as a result of clinical care, treatment or management from a medical practitioner and then delivered in the clinical setting, unrelated to the person’s disability; (f) surgical services or procedures related to aids and equipment; (g) acute, subacute, emergency, and outpatient clinical services delivered through public or private hospitals; (h) prescription spectacles or contact lenses; (i) nursing services (where related to treatment of a health event); (j) ambulance services (k) health transport services; (l) hospital in the home services; (m) sleep consultant services; (n) health retreats; (o) new-born follow-up provided in the health system, including child and maternal health services; (p) hearing services or supports provided by the Hearing Services Program;

**Schedule 2** Supports that generally are not NDIS supports

Clause 1

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		<p>(q) surgical services for hearing;</p> <p>(r) sub-acute palliative care, including in-patient and out-patient services delivered in the person's home or clinical setting.</p> <p>NDIS supports for the participant that may continue to be provided at the same time as sub-acute or palliative care services are not included in paragraph (r).</p>
13	Mental health	<p>The following:</p> <p>(a) pharmaceuticals (including prescription medicines and non-prescription medicines);</p> <p>(b) treatment, including for drug and alcohol dependency, gambling, and other addictions or disorders;</p> <p>(c) acute, subacute, emergency and outpatient clinical services delivered through public and private hospital mental health services;</p> <p>(d) supports related to mental health that are clinical in nature, including acute, ambulatory or continuing care or rehabilitation;</p> <p>(e) residential care where the primary purpose is for inpatient or outpatient treatment or clinical rehabilitation.</p>
14	Child protection and family support	<p>The following:</p> <p>(a) travel or accommodation for parents visiting their children that are in out-of-home care;</p> <p>(b) guardianship services for children and adults;</p> <p>(c) general family therapy;</p> <p>(d) parenting programs;</p> <p>(e) babysitting, nannying services, and au pairs;</p> <p>(f) marriage and relationship counselling;</p> <p>(g) child protection services required by families who have entered, or are at risk of entering, the relevant State or Territory statutory child protection system;</p> <p>(h) general parenting programs, counselling or other supports for families, which are provided to families at risk of child protection intervention and to the broader community, including making them accessible and appropriate for families of people with disability;</p> <p>(i) out-of-home care or support to carers of children in out-of-home care where these supports are not additional to the needs of children of similar age in similar out-of-home care arrangements.</p>
15	Early childhood development	<p>The following:</p> <p>(a) early childhood supports or therapies to support the general child development needs of a child;</p> <p>(b) childcare fees (including fees associated with specialist or segregated childcare service models), long day care,</p>

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		<p>family day care or informal care arrangements, including costs associated with reasonable adjustments that childcare services are required to make to accommodate a child with developmental delay or disability;</p> <p>(c) teaching aids or supports related to educational attainment;</p> <p>(d) building modifications for early childhood educational and care settings;</p> <p>(e) meeting the early childhood education and care needs of a child.</p>
16	School education	<p>The following:</p> <p>(a) fees or payments for outside school hours care, including before school, after school, student free days, vacation care and school holiday programs;</p> <p>(b) education and tuition fees across all education settings;</p> <p>(c) standard school uniforms, shoes, lunchboxes, drink bottles or other school equipment;</p> <p>(d) personalised learning or supports for students that primarily relate to their educational attainment;</p> <p>(e) aids and equipment for educational purposes, including modified computer hardware, education software, and braille textbooks;</p> <p>(f) assistive products which are fixed or non-transportable in schools that enable a student access to education, including hoists and specially adapted furniture;</p> <p>(g) reasonable adjustments to education campuses, including capital works, including ramps, lifts, and hearing loops;</p> <p>(h) services from a person employed by the participant's school or the relevant authority or Department of State for a State or Territory with responsibility for school education;</p> <p>(i) textbooks and teaching aids, including in alternative formats;</p> <p>(j) tutors and scribes;</p> <p>(k) educational supports associated with home schooling;</p> <p>(l) school refusal programs;</p> <p>(m) school camp, incursion or excursion fees;</p> <p>(n) transport between school activities, including excursions and sporting carnivals;</p> <p>(o) work experience generally provided as part of a school program.</p>
17	Higher education and vocational education and training	<p>The following:</p> <p>(a) education or tuition fees across all higher education and vocational education training (VET) settings;</p> <p>(b) supports (including assistive products) for students that</p>

**Schedule 2** Supports that generally are not NDIS supports

Clause 1

**Supports that generally are not NDIS supports**

<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		<p>primarily relate to their education and training;</p> <p>(c) building modifications to higher education and VET settings;</p> <p>(d) services from a person employed for educational purposes by the participant’s higher education or VET provider;</p> <p>(e) personalised learning or supports for students that primarily relate to their educational attainment;</p> <p>(f) assistive products which are fixed or non-transportable in higher education or VET settings that enable a student or trainee to access to education or training, including hoists and specially adapted furniture;</p> <p>(g) textbooks and teaching aids, including in alternative formats such as braille or Easy English;</p> <p>(h) education and training to facilitate transition to employment generally provided in higher education and VET settings.</p>
18	Employment	<p>The following:</p> <p>(a) government funded employment programs, including Disability Employment Services and Workforce Australia;</p> <p>(b) work-specific aids and equipment required to perform a job, including modified hardware and software;</p> <p>(c) reasonable adjustments (including assistive products and workplace modifications) to access a workplace;</p> <p>(d) employer responsibilities, including recruitment processes, work arrangements, transport for work activities;</p> <p>(e) employer compliance with employment laws, including those dealing with discrimination on the basis of disability;</p> <p>(f) employment programs, including both disability-targeted and open employment services, to provide advice and support to job seekers with disability who are largely independent once placed in employment to find and retain a job;</p> <p>(g) employment programs to encourage and assist employers to have recruitment policies and practices to hire and be inclusive of people with disability in the workplace. This includes support, training and resources, funding assistance to help employers make reasonable adjustments, and incentives for hiring people with disability, such as wage subsidies.</p>
19	Housing and community infrastructure	<p>The following:</p> <p>(a) direct costs of compliance with a person’s tenancy agreement, including bond, pest control, exit cleaning and general damage repairs;</p> <p>(b) housing for people with disability, other than participants eligible for specialist disability accommodation;</p>

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		<ul style="list-style-type: none"> <li>(c) design and subsequent changes or modifications to state and territory owned residential facilities (including aged care facilities, transitional and boarding accommodation and rehabilitation facilities), public buildings and boarding schools to make buildings accessible for people with disability to a reasonable adjustment standard;</li> <li>(d) design and subsequent changes or modifications to specialist disability accommodation;</li> <li>(e) reasonable adjustments to social housing to make buildings accessible for people with disability;</li> <li>(f) providing new publicly funded housing stock that meet accessibility standards and guidelines that apply in the location in which the housing is located;</li> <li>(g) homelessness-specific services including homelessness outreach and emergency accommodation;</li> <li>(h) the improvement of community infrastructure, including improving accessibility of the built and natural environment;</li> <li>(i) postal services;</li> <li>(j) housing subsidies, including rental bonds, mortgage relief and assistance with buying a home;</li> <li>(k) crisis housing;</li> <li>(l) mobile homes, caravans, campervans, tents.</li> </ul>
20	Transport	<p>The following:</p> <ul style="list-style-type: none"> <li>(a) accessible public transport;</li> <li>(b) public transport fares;</li> <li>(c) concessions to facilitate use of public transport;</li> <li>(d) airline lounge memberships and access fees;</li> <li>(e) transport costs for animals, other than eligible assistance animals included in a participant's plan;</li> <li>(f) transport infrastructure, including road and footpath infrastructure;</li> <li>(g) community transport services;</li> <li>(h) modifications to public transport and taxis.</li> </ul>
21	Justice	<p>The following:</p> <ul style="list-style-type: none"> <li>(a) supports in secure mental health facilities that are clinical in nature;</li> <li>(b) supervision and monitoring to prevent or observe offending behaviour or to monitor adherence to justice system-imposed conditions;</li> <li>(c) the day-to-day care and support needs of a person in custody (including in a secure mental health facility), including supervision, personal care and general supports;</li> <li>(d) pre-sentence psychological and psychiatric reports;</li> </ul>

## Schedule 2 Supports that generally are not NDIS supports

### Clause 1

<b>Supports that generally are not NDIS supports</b>		
<b>Item</b>	<b>Column 1 Category</b>	<b>Column 2 Supports</b>
		(e) secure accommodation facilities where the purpose of this accommodation is to safeguard the community or prevent reoffending, including secure mental health facilities.
22	Aged care	<p>The following:</p> <p>(a) any of the following within the meaning of the <i>Aged Care Act 1997</i>:</p> <ul style="list-style-type: none"><li>(i) basic daily care fees;</li><li>(ii) refundable accommodation deposits;</li><li>(iii) extra service fees;</li></ul> <p>(b) any of the following services provided by a residential aged care service:</p> <ul style="list-style-type: none"><li>(i) daily assistance with tasks such as cleaning, cooking and laundry;</li><li>(ii) personal care supports including bathing, dressing and going to the toilet;</li><li>(iii) access to health practitioner services, clinical care and therapies;</li><li>(iv) social and emotional support services and entertainment.</li></ul> <p>Supports for a participant that entered residential aged care before the age of 65 are not included in paragraph (b) if there is an agreement in place between the Agency and the Department of Health and Aged Care that those supports should be funded by the Agency.</p>
23	Unlawful goods and services	<p>The following:</p> <p>(a) supports the provision of which would be contrary to:</p> <ul style="list-style-type: none"><li>(i) a law of the Commonwealth; or</li><li>(ii) a law of the State or Territory in which the support would be provided;</li></ul> <p>(b) assistive products, vehicle modifications, or home modifications that do not comply with Commonwealth, State or Territory laws, the National Construction Code, or mandated Australian standards for the location and purpose the participant requires them;</p> <p>(c) supports involving restrictive practices that are prohibited in the participant's State or Territory of residence;</p> <p>(d) consumable products that are against the law;</p> <p>(e) firearms and weapons;</p> <p>(f) seclusion rooms.</p>
24	Income replacement	<p>The following:</p> <ul style="list-style-type: none"><li>(a) income support payments;</li><li>(b) rent subsidy;</li><li>(c) income supplementation.</li></ul>
	Note:	<p>Subsection 10(9) of the NDIS Act provides that a support is not an NDIS support for a participant if the support consists of the provision of:</p> <ul style="list-style-type: none"><li>(a) sexual services; or</li></ul>



- (b) alcohol; or
- (c) drugs, the possession of which is a contravention of a law of the Commonwealth, a State or a Territory.