

# Disability Regulations 2007

S.R. No. 60/2007

## TABLE OF PROVISIONS

<i>Regulation</i>		<i>Page</i>
1	Objectives	1
2	Authorising provision	1
3	Commencement	1
4	Definitions	1
5	Relevant prescribed amount for residential charge	2
6	Management of money of a resident	2
7	Limit on amount held	2
8	Record of visits	2
9	Approval to use restrictive interventions	2
10	Approval to use supervised treatment	3
11	Fees for residents in residential institutions	4
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	<b>SCHEDULE—Record of Visits by Community Visitors</b>	<b>5</b>
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STATUTORY RULES 2007

S.R. No. 60/2007

*Disability Act 2006*

**Disability Regulations 2007**

The Governor in Council makes the following Regulations:

Dated: 26 June 2007

Responsible Minister:

GAVIN JENNINGS  
Minister for Community Services

RUTH LEACH  
Clerk of the Executive Council

**1 Objectives**

The objectives of these Regulations are to prescribe monetary limits in relation to the provision of certain disability services, and fees and a form in relation to residential institutions.

**2 Authorising provision**

These Regulations are made under section 221 of the **Disability Act 2006**.

**3 Commencement**

These Regulations come into operation on 1 July 2007.

**4 Definitions**

In these Regulations—

*Commonwealth disability support pension* means a pension paid in accordance with Part 2.3 of the Social Security Act 1991 of the Commonwealth;

***Commonwealth rent assistance*** means an amount paid in accordance with Part 3.7 of the Social Security Act 1991 of the Commonwealth to cover the cost of a person's rent;

***the Act*** means the **Disability Act 2006**.

**5 Relevant prescribed amount for residential charge**

For the purposes of section 72(3) of the Act, the prescribed amount, in relation to a proposed residential charge, is an amount equal to the sum of 75% of the Commonwealth disability support pension and 100% of the Commonwealth rent assistance received by the person to whom the proposed residential charge relates.

**6 Management of money of a resident**

For the purposes of section 93(2) of the Act, the prescribed amount is \$250.

**7 Limit on amount held**

For the purposes of section 95(1) of the Act, the prescribed amount is \$5000.

**8 Record of visits**

For the purposes of section 132 of the Act, the prescribed form is the form in the Schedule.

**9 Approval to use restrictive interventions**

For the purposes of section 135(2) of the Act, the prescribed details are—

- (a) the full address and contact details for every premises where the disability service provider proposes to use restrictive interventions; and

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- (b) if the disability service provider proposes to have more than one Authorised Program Officer, the names and qualifications of the holders of the positions at each premises where the disability service provider proposes to use restrictive interventions; and
  - (c) the reasons why the disability service provider considers it necessary to use restrictive interventions at any particular premises; and
  - (d) the capacity and ability of the disability service provider to comply with the requirements contained in Part 7 of the Act.

#### **10 Approval to use supervised treatment**

For the purposes of section 186(2) of the Act, the prescribed details are—

- (a) the full address and contact details for every premises where the disability service provider proposes to use supervised treatment; and
  - (b) if the disability service provider proposes to have more than one Authorised Program Officer, the names and qualifications of the holders of the positions at each premises where the disability service provider proposes to use supervised treatment; and
  - (c) the reasons why the disability service provider considers it necessary to use supervised treatment at any particular premises; and
  - (d) the capacity and ability of the disability service provider to comply with the requirements contained in Division 5 of Part 8 of the Act.
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**11 Fees for residents in residential institutions**

For the purposes of section 221(1)(e), the charge for the provision of accommodation, care or services in respect of a resident in a residential institution other than a community residential unit is an amount equivalent to 57.1% of the combined total of the Commonwealth disability support pension and Commonwealth rent assistance received by the resident.

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**SCHEDULE**

Regulation 8

**RECORD OF VISITS BY COMMUNITY VISITORS**

**REGISTER OF VISITS BY COMMUNITY VISITORS  
RECORD FOR MONTH OF**

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<i>Date</i>	<i>Community Visitor</i>	<i>Duration of Visit</i>	<i>Areas Inspected</i>
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Signature of person in charge

Name in full

Date signed

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