# Detailed comparison of existing and proposed NDIS Rules

# Specialist Disability Accommodation Rules

The Specialist Disability Accommodation Amendment (In-kind Supports) Rules 2021 amend the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020* to update the definition of in-kind supports. Please see the table below for a comparison.

| **Existing provision (2020 Rules)**  | **New provision (2021 Rules)** | **Nature of the change** | **Specific changes** |
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| **5  Definitions**Note:          A number of expressions used in this instrument are defined in section 9 of the Act, including the following:(a)    Agency;(b)    CEO;(c)    National Disability Insurance Scheme;(d)    NDIS provider;(e)    parental responsibility;(f)    participant;(g)    participant’s statement of goals and aspirations;(h)    plan;(i)     registered NDIS provider;(j)     registered provider of supports.In this instrument:[…]***in‑kind support***has the meaning given by section 6.8 of the *National Disability Insurance Scheme (Plan Management) Rules 2013*. | 6A Meaning of *in‑kind support* A support is an ***in‑kind support*** if: (a) the support is available to be provided to the participant by a provider who is: (i) the relevant jurisdiction; or (ii) the Commonwealth; or (iii) a provider under a service delivery mechanism operated by the relevant jurisdiction or the Commonwealth; or (iv) a person engaged or funded by the relevant jurisdiction or the Commonwealth; and (b) the support is made available to the Agency on an in‑kind basis as part of the contribution to the National Disability Insurance Scheme made by: (i) the relevant jurisdiction; or (ii) the Commonwealth; whether or not the participant has previously been provided with the support. | Replaced – moved from 2013 Plan Management Rules | * The provisions relating to in-kind supports that were in the 2013 Plan Management Rules have lapsed and are no longer required.
* However, there is a cross-reference in the 2020 SDA Rules to the definition of in-kind supports in the 2013 Plan Management Rules.
* Make the Rules easier to read and understand, the definition in the 2013 Plan Management Rules has been uplifted and inserted into the 2020 SDA Rules.
* There is no change in policy intent.
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