# 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** |
| --- | --- | --- | --- |
| **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. |