

Disability Services (Fees) Amendment Regulation 2025

Explanatory notes for SL 2025 No. 61

Made under the

Disability Services Act 2006

General Outline

Short Title

Disability Services (Fees) Amendment Regulation 2025

Authorising law

Section 239 of the *Disability Services Act 2006*

Policy objectives and the reasons for them

The objective of the *Disability Services (Fees) Amendment Regulation 2025* (Amendment Regulation) is to update the National Disability Insurance Scheme (NDIS) worker screening application fees, payable under the *Disability Services Regulation 2017* (Disability Services Regulation), in accordance with the Queensland Government Principles for Fees and Charges (the Principles).

The *Disability Services Act 2006* (Disability Services Act) protects and promotes the rights of people with disability, including by ensuring people who pose an unacceptable risk of harm to people with disability cannot carry out particular work with people with disability. The Disability Services Act requires all individuals engaged to carry out particular work with people with disability—either by a registered NDIS provider or through a service funded or delivered by the Department of Families, Seniors, Disability Services and Child Safety—to undergo worker screening and obtain an appropriate clearance.

The Disability Services Act provides that a prescribed fee is payable for an application for a worker screening clearance. The fees are prescribed under Schedule 1 of the Disability Services Regulation.

The Principles require government agencies to have processes in place to ensure fees maintain their value over time. Queensland has an obligation under the *Intergovernmental Agreement on Nationally Consistent Worker Screening for the National Disability Insurance Scheme* that NDIS worker screening achieve cost recovery. In accordance with

this obligation, the Amendment Regulation increases application fees for NDIS worker screening clearances from 1 July 2025, in accordance with a specific indexation method calculated to help achieve cost recovery in the longer term. The method has regard to the costs to Government associated with conducting NDIS worker screening (including the checking of criminal history and other information) and issuing physical clearance cards.

Moving towards full cost recovery in the operation of the NDIS worker screening system will contribute to preventing avoidable risk of harm to people with disability and minimising the regulatory burden on disability service providers, by supporting the operation of a timely and quality disability worker screening system.

The Principles require all fees indexed in accordance with the Government Indexation Rate to be prescribed as a number of fee units (rather than dollars) from 1 July 2022, unless exempt. The NDIS worker screening application fees are temporarily exempt from the transition to fee units and continue to be prescribed and indexed as dollar amounts.

The Amendment Regulation also makes minor changes to the wording of Schedule 1, items 2(b) and 4(b) of the Disability Services Regulation to better reflect the wording of the Disability Services Act.

Achievement of policy objectives

The Amendment Regulation indexes NDIS worker screening application fees in line with the approved cost recovery method, as outlined in Table 1.

Item of Schedule 1	Current 2024-25 Fee	New Fee as at commencement of Amendment Regulation 1 July 2025
Item 1(c) – Fee for an NDIS clearance	\$147.00	\$156.00
Item 2(a) – Fee for a person who holds an NDIS clearance who is engaged to carry out disability work other than as a volunteer	\$147.00	\$156.00
Item 2(b) – Fee for an NDIS sole trader who carries out disability work for financial reward	\$147.00	\$156.00

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the Disability Services Act and ensures the proper and effective implementation of the screening framework under that Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

There is no alternative way of achieving the policy objectives. The Amendment Regulation implements measures to support the proper and effective implementation of the worker screening framework under the Disability Services Act and is in accordance with the Principles.

Benefits and costs of implementation

The Amendment Regulation assists government to continue to administer a timely and quality worker screening process, while maintaining a proportionate and sustainable fee structure.

There are no additional significant implementation costs to government in indexing the fees.

Applications for volunteers will continue to be processed free of charge.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

As it applies indexation rates in accordance with established Government policy set out under the Principles, the Amendment Regulation has not been the subject of external consultation.

An Impact Analysis Statement (IAS) has been prepared which identifies that Amendment Regulation is not subject to regulatory impact assessment requirements under the *Queensland Government Better Regulation Policy* as it is a regulatory proposal that is minor and machinery in nature.