



New South Wales

# Disability Services Regulation 2008

under the

Disability Services Act 1993

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Disability Services Act 1993*.

KRISTINA KENNEALLY, M.P.,  
Minister for Disability Services

## Explanatory note

The object of this Regulation is to remake, with minor amendments, until 1 September 2009, the provisions of the *Disability Services Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes a class of services for the purposes of the definition of *designated service* in section 4 of the *Disability Services Act 1993*.

This Regulation is made under the *Disability Services Act 1993*, including the definition of *designated service* in section 4 and section 26 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

## 2008 No 377

Clause 1            Disability Services Regulation 2008

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### Disability Services Regulation 2008

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#### 1 Name of Regulation

This Regulation is the *Disability Services Regulation 2008*.

#### 2 Commencement

This Regulation commences on 1 September 2008.

**Note.** This Regulation replaces the *Disability Services Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

#### 3 Interpretation

(1) In this Regulation:

*the Act* means the *Disability Services Act 1993*.

(2) Notes in this Regulation do not form part of this Regulation.

#### 4 Definition of “designated service”: section 4

(1) The class of services that consists of all services provided or funded by the Minister (including co-funded services provided or funded through the Home Care Service, but not including any other co-funded services) is prescribed for the purposes of the definition of *designated service* in section 4 of the Act.

(2) In this clause, *co-funded service* means a service that is provided or funded by the Minister in accordance with an agreement in force between the State and the Commonwealth under the *Home and Community Care Act 1985* of the Commonwealth.

#### 5 Saving

Any act, matter or thing that, immediately before the repeal of the *Disability Services Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

#### 6 Repeal

This Regulation is repealed on 1 September 2009.

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BY AUTHORITY