

# Disability Rights, Inclusion and Safeguarding (Transitional and Consequential Provisions) Bill 2025

## Fact sheet

### What is the Bill about?

The Disability Rights, Inclusion and Safeguarding (Transitional and Consequential Provisions) Bill 2025 sets out arrangements for transition between the *Disability Services Act 2011* (DSA) and the *Disability Rights, Inclusion and Safeguarding Act 2024* (the new Act).

The new Act was tabled in the Legislative Council in June 2024, passed by the House of Assembly on 17 October 2024 and received Royal Assent on 8 November 2024.

The DSA will be repealed upon commencement of the new Act.

Consequential amendments are required to other Tasmanian Acts ranging from minor amendments such as changing the name of the disability legislation within respective Acts, to amending the authorisation pathway and review process within the *Tasmanian Civil and Administrative Tribunal Act 2020*.

### What transition arrangements does the Bill cover?

In the main, the transitional material relates to:

- Differentiating between the Senior Practitioner described in the DSA and the new Senior Practitioner role created in the new Act.
- Transition of approvals, determinations, delegations or directions made by the former Senior Practitioner to the new Senior Practitioner.
- The preservation of approvals for restrictive practices so they continue to be in force after commencement of the new Act on the same terms and conditions.
- The treatment of applications for approval of restrictive practices which are in progress on the day of commencement of the new Act.
- Arrangements for reporting by the former Senior Practitioner and transitioning annual reporting requirements from the DSA to the new Act.
- Incorporating pathways to review to the Tasmanian Civil and Administrative Tribunal (TasCAT).
- Ensuring any subsequent amendments to other relevant legislation (such as the Poisons Regulations 2018).

### When will the Bill start?

The Bill will commence on the same day as the *Disability Rights, Inclusion and Safeguarding Act 2024*.