

South Australia

Disability Inclusion (Transitional Arrangements) Regulations 2018

under the *Disability Inclusion Act 2018*

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1—Short title

These regulations may be cited as the *Disability Inclusion (Transitional Arrangements) Regulations 2018*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Interpretation

In these regulations—
Act means the *Disability Inclusion Act 2018*.

4—Transitional arrangements—State Disability Inclusion Plan

- (1) This regulation applies in relation to the preparation of the first State Disability Inclusion Plan following the commencement of section 13 of the Act (the *first plan*).
- (2) The first plan must be prepared by the Minister and published in the Gazette on or before—
 - (a) if the Minister, by notice in the Gazette, prescribes a day for the purposes of this paragraph—that day; or
 - (b) if no such day is prescribed—31 October 2019.
- (3) A notice under subregulation (2)(a) may be varied by the Minister by subsequent notice in the Gazette.
- (4) For the purposes of section 13(4) of the Act, a reference to the regulations will be taken to be a reference to such regulations as may be in force at the time the first plan is prepared.
- (5) If, at the time the Minister prepares the first plan, there are no regulations in force for the purposes of section 13(4)(b) of the Act, then the scheme contemplated by that paragraph will be taken to be the scheme determined by the Minister.

- (6) Section 14 of the Act will be taken not to apply in relation to the State Disability Inclusion Plan until 31 December in the year following the financial year in which the first plan is published in the Gazette.

5—Transitional arrangements—disability access and inclusion plans

- (1) This regulation applies in relation to the preparation of the first disability access inclusion plan for a State authority following the commencement of section 16 of the Act (the *first plan*).
- (2) The first plan in respect of a State authority must be prepared and published on a website determined by the State authority on or before—
- (a) if the Minister, by notice in the Gazette, prescribes a day for the purposes of this paragraph—that day; or
 - (b) if no such day is prescribed—31 October 2020.
- (3) A notice under subregulation (2)(a) may be varied by the Minister by subsequent notice in the Gazette.
- (4) A State authority must notify the Chief Executive when the first plan in respect of the authority is published on a website.
- (5) For the purposes of section 16(4) of the Act, a reference to regulations or guidelines will be taken to be a reference to such regulations or guidelines (as the case requires) as may be in force at the time the first plan is prepared by the State authority.
- (6) If, at the time a State authority prepares its first plan, there are no regulations in force for the purposes of section 16(4)(c) of the Act, then the scheme contemplated by that paragraph will be taken to be the scheme determined by the State authority.
- (7) Section 17 of the Act will be taken not to apply in relation to the disability access and inclusion plan of a State authority until 31 October in the year following the financial year in which the first plan in respect of the State authority is prepared.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 13 September 2018

No 211 of 2018

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