

Declaration of suitability

This **declaration** is to be completed by ALL individuals and organisations applying to be registered as a service provider with the National Disability Insurance Agency (NDIA).

I as, or on behalf of, the Provider declare that:

1. I have read, understood and agree that the provider will abide by the NDIA Guidelines.
2. I have read, understood and agree that the provider will abide by the Terms of Business.
3. The provider consents to the NDIA publicising the following details:
 - 3.1. Provider name, address, main telephone contact, postal address, business email address, web address, and supports covered by this registration.
4. The provider is compliant with, and has mechanisms in place to ensure its ongoing compliance with, all employment and workplace health and safety laws applicable to this application. The provider also has mechanisms in place to ensure that any contractors engaged for the provision of supports or the management of funding for supports comply with all employment and workplace health and safety laws that apply to the contractors in that provision or management.
5. The provider has no unsettled judicial decisions (not including decisions under appeal) relating to unpaid employee entitlements.
6. The provider is not named as non-compliant with the *Workplace Gender Equality Act 2012*.
7. The provider, and its staff, comply with, and the provider has mechanisms in place to ensure ongoing compliance with, all laws that apply to the provider and its staff in the provision of supports or the management of funding for supports (as applicable) and the contravention of which is punishable by a criminal penalty.
8. The provider will comply with all relevant State and Territory quality and safeguards arrangements (as referred to in the Provider Registration Guide to Suitability Requirements and the Quality and Safeguard Working Arrangements) as amended from time to time.
9. I, or my relevant staff (as applicable), have the qualification(s) — including membership(s) or registration(s) with professional bodies or associations — necessary to practice the profession(s) required for the registration groups selected in this application as set out in the Provider Registration Guide to Suitability Requirements as amended from time to time. I (or my relevant staff) will maintain these qualifications, memberships and/or and will notify the NDIA if they cease.
10. The provider has the approvals (as defined in paragraph 6.4 of the *National Disability Insurance Scheme (Registered Providers of Supports) Rules 2013*) applicable to the support cluster(s) selected in this application.
11. The provider has suitable capacity and experience to provide the supports, or to manage the funding for supports, as covered by the application.
12. If you are seeking approval in relation to both the provision of supports and managing the funding for supports under plans – the provider has mechanisms in place for dealing with conflicts of interest when performing both of those roles in relation to the same participant.
13. The provider agrees to notify the NDIA as soon as possible after becoming aware of any of the following events:
 - 13.1. a complaint has been made to a responsible authority about the standard,

- effectiveness or safety of the provision of supports by the provider, or an employee or contractor of the provider, and the authority has taken action as a result of the complaint (other than a decision not to investigate the complaint); or
- 13.2. the provider, or an employee or contractor of the provider, has been the subject of adverse action by a responsible authority relating to their provision of supports or management of the funding for supports, regardless of whether those supports are provided or funded under the *National Disability Insurance Scheme Act 2013*; or
 - 13.3. the provider, or an employee or contractor of the provider, has been the subject of adverse action by a responsible authority in respect of an approval held by the provider or the employee or contractor; or
 - 13.4. the provider becomes an insolvent under administration; or
 - 13.5. the provider becomes aware that it has failed to comply with an employment or workplace health and safety law that applies to the provider (including, for example, the *Fair Work Act 2009* if that Act applies to the provider); or
 - 13.6. the provider becomes aware that a contractor engaged for the provision of supports or the management of funding for supports has failed to comply with an employment or workplace health and safety law that applies to the contractor in that provision or management; or
 - 13.7. the provider, or a member of their staff, fail to comply with a law relating to the provision of supports or the management of the funding for supports (as the case requires), where the contravention of which is punishable by a criminal penalty; or
 - 13.8. the provider agrees to notify the NDIA of any action taken by the provider in relation to the above events.
14. In addition Providers of Specialist Disability Accommodation (SDA) must meet the following requirements. The provider:
 - 14.1. complies with and has mechanisms in place to ensure ongoing compliance with all laws, including building standards and tenancy laws, that apply in relation to the SDA.
 - 14.2. the provider also has mechanisms in place to ensure that any employees, contractors or other persons engaged by the provider in relation to SDA, such as tenancy managers, comply with all laws, including building standards and tenancy laws in relation to the SDA; and
 - 14.3. will not house more residents in a SDA dwelling than the number for which it is enrolled.
 15. Where the provider is GST registered, the provider agrees to receiving a Recipient Created Tax Invoice (RCTI) when claiming for payment.
 16. If and where any personal details of a third party are included, the third party has been made aware of, and given their permission for, those details to appear in this application.
 17. I accept the **myplace** User Responsibilities and Terms and Conditions and attest that the details given in order to set up a provider portal user are correct.

I UNDERSTAND AND AGREE TO THE ABOVE

FULL NAME OF AUTHORISING OFFICER

POSITION

Click here to enter text.

Click here to enter text.

SIGNATURE

DATE

Click here to enter text.

Note:

It is an offence under *Section 136 of the Criminal Code Act 1995 (Cth)* to make a statement knowing it to be false or misleading, or reckless as to whether it is false or misleading, made in connection with an application for registration and the statement is made to a Commonwealth entity. There is a penalty of imprisonment for 12 months.

Under the National Disability Insurance Scheme (NDIS) Rules, the CEO may revoke the approval of a person or entity as a registered provider of supports if their application for approval contained information that was false or misleading in a material particular.