

Children and Young People with Disability Australia (CYDA) - National Disability Insurance Scheme Savings Fund Special Account Bill 2016

Question on Notice

CYDA's submission refers to 'discretionary powers' of the Minister regarding savings placed in the National Disability Insurance Scheme (NDIS) Savings Fund Special Account. This is in reference to clause 7 of the Bill, which states that:

The Minister may, by writing, determine that:

- a) a specified amount is to be credited to the National Disability Insurance Scheme Savings Fund Special Account on a specified day; or*
- b) a specified amount is to be credited to the National Disability Insurance Scheme Savings Fund Special Account in specified instalments on specified days.¹*

Further, the Explanatory Memorandum for the Bill states that the Minister "will be solely responsible for the day-to-day policy and management of the special account."²

CYDA would like to clarify that the Bill empowers the Prime Minister and Cabinet to identify sources of savings to be placed in the Fund as per typical budgetary processes. However, the Bill provides the Minister with the responsibility to administer the fund and determine the amount and timing of savings being placed into the fund. These arrangements will mean the Minister and the Commonwealth Government have significant control over the Fund, which significantly alters the governance and funding model of the NDIS.

¹ *National Disability Insurance Scheme Savings Fund Special Account Bill 2016*, clause 7.

² House of Representatives 2016, *National Disability Insurance Scheme Savings Fund Special Account Bill 2016: Explanatory Memorandum*, Commonwealth of Australia, Canberra, p. 3.