

The Disability Act 2006

Introduction

The *Disability Act 2006* (the Act) commenced on 1 July 2007. The Act provides the framework to enable people with a disability to more actively participate in the community. The Act is guided by the principles of human rights and citizenship and provides substantial reform to the law for people with a disability in Victoria.

The Act also provides the framework to deliver more flexible support based on maximum choice and a person's individual requirements.

Why change the legislation?

The *Intellectually Disabled Person's Services Act 1986* and *Disability Services Act 1991* no longer reflect the direction of support provision in Victoria. The new direction is outlined in the *Victorian State Disability Plan 2002-2012*.

The State Disability Plan is based on the principles of equity, self-determination and choice, diversity and non-discrimination.

What are the principles of the Act?

The Act outlines two sets of principles that, wherever possible, should be given effect in providing disability services. These principles relate to both people with a disability and disability services.

What are the principles for people with a disability?

People with a disability should have the same rights and responsibilities as other members of the community, including the right to:

- respect for their human worth and dignity as individuals
- live free from abuse, neglect or exploitation
- realise their individual capacity for physical, social, emotional and intellectual development
- exercise control over their own lives
- actively participate in the decisions that affect their lives
- access information and communicate in a manner appropriate to their communication and cultural needs
- use services in the community that support their quality of life.

What are the principles for disability services?

Disability services are provided by either the Department of Human Services or an agency funded and registered by the Department of Human Services to provide services for people with a disability.

Disability services must:

- respect the rights of people with a disability
- provide good quality services.

Disability services should support people with a disability to:

- make choices and be independent
- make choices and get support if they need it
- take part in their local community.

Disability services should also:

- know that people with different disabilities may need different supports
- respect families and other people who are important to a person with a disability
- assist families to support people with a disability, where they can
- understand the needs of children with a disability
- understand about the problems a person might have because of their culture, language or where they live
- protect the rights of people using the service.

For more information about the Act, contact:

Disability Services Division, Department of Human Services
Telephone: 1300 366 731 (9 am to 5 pm, Monday to Friday)

TTY: (03) 9096 0133 (for people who are deaf or have a hearing, speech or communication impairment)

Email: disability.legislation@dhs.vic.gov.au