

Australian Consumer Law and the NDIS – ACCC Guide

The Australian Competition and Consumer Commission (ACCC) released a report in July, which explains the consumer rights for consumers with disability under the NDIS.

The full report can be downloaded here:

<https://www.accc.gov.au/publications/your-consumer-rights-a-guide-for-consumers-with-disability>

This is a brief summary of the guide.

Summary

- Australian Consumer Law protects all participants of Participate Australia and their NDIS funding. Participants using their NDIS funding with Participate Australia may reasonably expect that Participate Australia can provide the services that we offer and that what we say we will do is a true reflection of the services we will actually provide.
- Australian Consumer Law protects an NDIS participant for the following services that Participate Australia may provide:
 - personal care;
 - support to enable social and community interaction;
 - assistance with completing tasks of daily living;
 - supported employment, and
 - management of disability funding.
- A participant is legally entitled to ask for a refund or replacement if the services Participate Australia provided were:
 - not of acceptable quality;
 - different to what was asked for, and/or different to what Participate Australia said the participant would receive, and/or
 - different to the description that Participate Australia provided.
- Under Australian Consumer Law all Participate Australia participants have the right to:
 - ask for what services they want;
 - ask as many questions about the services as they want;
 - ask for a better price;
 - take time to make a decision;
 - be treated fairly;
 - be given all important information about the service;
 - be given correct information about the service;
 - have an opportunity to speak up if things go wrong.
- As a business Participate Australia must guarantee:
 - to take all necessary steps to avoid loss or damage;
 - that the services we provide and promote are:

Participate Australia

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- provided with acceptable care, and skill, and/or technical knowledge;
- fit for purpose;
- delivered within a reasonable time when we do not agree a start and end date, and
- that they give the results that we have agreed to achieve.

Participate Australia's Commitment

- We commit to providing factual information that truly reflects the services we can offer and that we do not promise too much in an effort to acquire or retain participants.
- We will, where possible, confirm in writing any outcomes we agree, in order to minimise future disagreement if your expectations are not met.
- We will support participants and their carers in understanding their rights as consumers under Australian Consumer Law.

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