

Providers should support each participant to understand any service agreement using the language, mode of communication and terms that the participant can understand.

The NDIA recommends having a written service agreement so participants and providers are clear about what each party has agreed to.

Service agreements help make sure the participant and provider have the same expectations of what supports will be delivered and how they will be delivered.

Making a service agreement is a negotiation between the participant and the provider. Participants might involve a nominated person (such as a participant's family member or friend).

A written service agreement is required for [Specialist Disability Accommodation](#) supports under the NDIS rules.

For other NDIS services, the NDIA does not require written service agreements.

[Things to think about when making a service agreement \(PDF 182KB\)](#) and [Making a Service Agreement: Things to think about – Easy Read \(PDF 4MB\)](#) includes things to consider when negotiating a service agreement.

## Provider obligations

### NDIS obligations

While the NDIA is not a party to service agreements between providers and participants, it will take action if the terms do not align with the NDIS Act 2013 and NDIS Pricing Arrangements and Price Limits.

## NDIS Quality and Safeguards Commission

The [NDIS Quality and Safeguards Commission](#) (NDIS Commission) is responsible for regulating providers in all states and territories.

Further information and legislation about service agreements is available on the [NDIS Quality and Safeguards Commission website](#)

## ATO

Many, but not all, supports provided to NDIS participants are GST-free.

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You can find further information about the NDIS and GST on the [Australian Taxation Office website](#)

Providers should seek independent legal or financial advice if they require assistance with tax law compliance.

## Other

A service agreement between the service provider and participant is like any other agreement under Australian Consumer Law.

The Australian Competition and Consumer Commission has [information to help businesses](#) , including not-for-profit organisations that supply goods or services to consumers with disability or to NDIS participants.

## More information

- [NDIS Quality and Safeguards Commission](#)
- [NDIS Pricing Arrangements and Price Limits](#)
- [National Disability Insurance Scheme \(Provider Registration and Practice Standards\) Rules 2018](#)
- [A guide to competition and consumer law: for businesses selling to and supplying consumers with disability](#)
- [Australian Taxation Office](#)

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