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Most common decisions people disagree with

There are 2 main decisions we make that people disagree with and ask for a review.

These are:

- whether someone is eligible for the NDIS or not
- the supports we do and don’t fund.

What the law tells us we can do

NDIS laws tell us who can become an NDIS participant and what can be funded under the NDIS.

We follow the laws to decide if you’re eligible for the NDIS. Learn more about the eligibility requirements.

We'll check if the supports you're asking for are NDIS supports before we agree to include them in your plan. We have a list of supports we don’t fund.

We also can’t fund supports other government services pay for, like health or education.

We can’t fund supports that aren't related to your disability or are everyday costs like rent, food and electricity. We also don’t fund supports that are likely to cause harm to you or others.

Steps to ask for a review

Contact us if you don’t agree with a decision we make. We can explain the decision.

You can ask for a review of a decision if you don’t agree with it and if it is a reviewable decision. There are some decisions that aren’t reviewable, such as budget reductions.

You can ask for a variation if budget reductions have been applied to your plan and you have high support needs. Learn more about high support needs variations.

You can get someone to help you ask for a review. This might be a family member, friend, support coordinator or recovery coach.

Step 1: Internal review

First, you can ask for an internal review. This means someone at the NDIA will assess the decision.

The person who looks at the decision will be different to the person who made it.

This second person will look at the facts and circumstances to check if we made the right decision under the law.

Step 2: External review

You can ask for an external review if you still don't agree with the decision after the second person completes their internal review and tells you what they've decided.

An external review happens outside the NDIA. You'll need to ask the Administrative Review Tribunal to review our decision.

You must ask for an internal review first. This needs to be completed before you can ask for an external review.

> **Tip: Who is the Administrative Review Tribunal?**
>
> The Administrative Review Tribunal reviews decisions made by Australian Government agencies, departments and ministers.
>
> The Administrative Review Tribunal is separate to the NDIA. They make sure our decisions are legally correct and fair.
>
> Learn more about the Administrative Review Tribunal .

How to request an internal review

You have 3 months from the day you receive our decision to ask us for a review.

Tell us if you want an internal review by:

- completing the request a review of a decision form
- submitting an enquiry through our service hub with supporting evidence
- calling us on 1800 800 110.

How to request an external review

You must ask for an external review from the Administrative Review Tribunal within 28 days of our internal review decision.

The Administrative Review Tribunal might give you more than 28 days depending on your circumstances.

Learn more about how to request a review of a decision.

You can ask for legal support

You have the right to an advocate or legal support to help you through the external review process.

You can access the NDIS Appeals Program if you need extra support. This is when someone represents you and helps explain your situation at the tribunal.

You can't use your NDIS funding for someone to represent you at the tribunal. For example, you can't use your NDIS funding for a lawyer, support coordinator or other provider.

You can use your NDIS funding for disability-related supports during the hearings if you're a participant. For example, you might need support for personal care or communication supports to help you participate in discussions.

Our Guideline

Download the reviewing our decisions guideline:

- Reviewing our decisions (PDF 363KB)
- Reviewing our decisions (DOCX 102KB)

Related information

What is a decision review

How to request a review of a decision

What is a my NDIS contact

This page current as of
25 September 2026