



Registered supporters policy

Policy for registered supporters

Summary

This policy outlines the framework for regulating supporters under the *Aged Care Act 2024 (Cth)* (the Act). This includes the registration, suspension and cancellation of supporters.

This policy also explores the broader concept of supported decision-making in aged care which underpins the role and purpose of registered supporters.

Disclaimer

This policy was published to support commencement of the Aged Care Act 2024 (Cth) (the Act). The information in this policy is applicable from 1 November 2025.

The Act and related rules take precedence over this policy, which should be read alongside them. The guidance provided in this policy about registered supporters does not constitute legal advice.

The Department of Health, Disability and Ageing will update this policy, periodically and/or as required.

This policy is one part of the [registered supporters policy library](#). Please refer to the online version of the policies in the registered supporter policy library located on the department's website to ensure you have the most recent version.

Version history

Version	Date published	Commentary on changes
1	September 2025	First version published.
2	April 2026	Review of key terms and concepts to ensure consistency across the registered supporters policy library; no policy changes made.

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Policy

Supported decision-making

Everyone has the right to make decisions about their life, including the support and services they receive from aged care. Some older people may want or need support to make these decisions.

Supported decision-making refers to processes and approaches that enable people to exercise their legal capacity, including making or communicating their decisions, will, and preferences, by provision of the support they may want or need to do so. This support may involve a range of persons, services, and assistive technologies.

Supported decision-making does not mean making a decision for, or on behalf of, another person.

Supported decision-making starts from the understanding that everyone can make decisions and should be supported to do so. It involves asking an older person if they would like supports to make or communicate a decision, and if so, what supports the older person wants. As such, it focuses on older people being supported, only to the extent necessary, to make their own decisions.

A wide range of practices can be used to assist people to make decisions and respect their will and preferences. Supported decision-making can take different forms, including through having a support person or someone to assist an older person in communicating their will and preference, universal design and accessibility measures, recognition of diverse, non-conventional methods of communication, and advance care planning so that an older person's will and preferences are known.ⁱ Supported decision-making practices used to support an older person to make and communicate their own decisions, will, and preferences, including through documentation, do not afford a person authority to make a decision on the older person's behalf.

The research report *Diversity, dignity, equity and best practice: A framework for supported decision-making* found that, in the lives of people with cognitive disability, supported decision-making provided:ⁱⁱ

- greater exercise of choice and control
- support to navigate complex systems
- assistance to understand information and explore a broad range of options
- increased opportunities to make decisions, and
- a greater likelihood that decisions would reflect a person's will and preferences.

To learn more about supported decision-making in aged care, visit the Older Persons Advocacy Network's website to view their:

- Supported Decision-Making Toolkit: opan.org.au/toolkit/supported-decision-making/, and
- Webinars on supported decision-making and the new Act:
 - opan.org.au/video/decision-making/
 - opan.org.au/video/supported-decision-making-2026/

New, rights-based Act

New aged care legislation commenced on 1 November 2025.

The Act establishes a modern rights-based, person-centred approach that prioritises the safety, health and wellbeing of older people. As such, it places older people and their wishes at the centre of the aged care system.

The Act responds to key Royal Commission recommendations. This includes the:

- **Royal Commission into Aged Care and Quality and Safety** which recommended that new aged care legislation enable older people to exercise choice and control in their care, make decisions that affect their life and be supported in their decision-making to the fullest extent possible.
- **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability** which recommended principles for supported decision-making be adopted in Australian Government laws concerning individual decision-making.

Additionally, the Act reflects Australia's obligations under international instruments that engage older people, such as the Convention on the Rights of Persons with Disabilities (CRPD). The CRPD outlines the rights of people with disability to dignity, autonomy, decision making, and recognition of legal capacity. Relevant to aged care, the CRPD recognises people with cognitive disability such as dementia.

Statement of Rights

The new Statement of Rights in the Act recognises the rights inherent to older people accessing or seeking to access Australian Government-funded aged care services. It defines what older people can expect from aged care providers in receiving safe, high-quality care. The Statement of Rights builds on existing or previous rights, including those from the Charter of Aged Care Rights (made under the *Aged Care Act 1997 (Cth)*),ⁱⁱⁱ and incorporates additional protections informed by international human rights standards, including the International Covenant on Economic, Social and Cultural Rights.

The Statement of Rights sets out that older people receiving or seeking Australian Government-funded aged care services have rights related to:

- independence, autonomy, empowerment and freedom of choice
- equitable access
- quality and safe funded aged care services
- respect for privacy and information
- person-centred communication and ability to raise issues without reprisal, and
- advocates, significant persons and social connections.

Importantly, older people have the right to be supported in their decision-making, if necessary, and to have their decisions respected.

This is complemented by an older person's right to take personal risks, which recognises the principle of dignity of risk. This means older people have the right to make decisions that involve risks, especially when it contributes to their quality of life, social participation, and intimate and sexual relationships.

Aged care providers are expected to take steps to act compatibly with these rights in their delivery of Australian Government-funded aged care services. The strengthened Aged Care Quality Standards expand on the expectations on aged care providers to provide quality care, including supporting older people in their decision-making.

Statement of Principles

The new Statement of Principles in the Act outlines key principles for how the Australian Government-funded aged care system should operate. These principles guide how people in the system should act to ensure that the decisions and wishes of older people are centred and respected. This includes the responsible Minister, System Governor, Aged Care Quality and Safety Commissioner, Aged Care Complaints Commissioner and any other person or body performing functions or exercising powers under the Act.

The Statement of Principles includes three types of principles:

- Person-centred: focused on individuals receiving care.
- System-focused: guiding how the aged care system works.
- Governance-focused: ensuring proper oversight and accountability.

The principles include that the aged care system supports older people to be active and informed in decision-making or be supported, if necessary, to make or communicate decisions about their funded aged care services, to ensure their will and preferences are respected.

Embedding principles of supported decision-making

There is no clear accepted best practice for supported decision-making. Models and concepts continue to evolve and there is growing reform activity underway, including throughout states and territories.

However, the Act reflects the principles of supported decision-making recommended by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability ('Disability Royal Commission').

These principles have been adapted to the registered supporter context as follows:

Principle 1 – Recognition of the equal right to make decisions

All people have an equal right to make decisions that affect their lives and to have those decisions respected.

Principle 2 – Presumption of decision-making ability

All people must be presumed to be able to make decisions.

Principle 3 – Respect for dignity and dignity of risk

All people must be treated with dignity and respect and supported to take risks to enable them to live their lives the way they choose, including in their social and intimate relationships.

Principle 4 – Recognition of informal supporters and advocates

The role of informal supporters, support networks and advocates who provide support for decision-making should be acknowledged and respected.

Principle 5 – Access to support

People who may require supported decision-making should be provided with equitable access to appropriate support to enable them, as far as practicable in the circumstances, to:

- make and participate in decisions affecting them
- communicate their will and preferences
- develop their decision-making ability.

Note: Decision-making support includes universal design and accessibility measures and recognition of diverse, non-conventional methods of communication.

Principle 6 – Decisions directed by will and preferences

The will and preferences of people who may require supported decision-making must direct decisions that affect their lives.

Note: This includes respecting decisions that are expressed in non-conventional ways including non-verbally or through observed behaviour.

Principle 7 – Inclusion of safeguards

There must be appropriate and effective safeguards where people may require supported decision-making, including to prevent abuse and undue influence.

Principle 8 – Co-designed processes

People with disability, in particular people with cognitive disability, their supporters and representative organisations, should be involved in the development and delivery of policies and practices on supported decision-making.

Principle 9 – Recognition of diversity

The diverse experiences, identities and needs of people who may require supported decision-making must be actively considered.

Principle 10 – Cultural safety

First Nations people and culturally and linguistically diverse people with disability are entitled to supported decision-making that is culturally safe, sensitive and responsive. This includes recognising the importance of maintaining a person's cultural and linguistic environment and set of values.

The principles above have been drawn from the principles of supported decision-making recommended by the Disability Royal Commission, adapted to the registered supporter context.

The principles of the Disability Royal Commission built on the work of the Australian Law Reform Commission's report, *Equality, capacity and disability in Commonwealth laws* which recommended all jurisdictions reform laws and legal frameworks to formally recognise and promote supported decision-making in line with specific principles and a decision-making model.^{iv}

Presumption of capacity

A key change under the Act is that every older person is presumed to have the ability to make their own decisions and to have those decisions respected and recognised by law. This is known as the presumption of capacity. The Act recognises that an older person's decision-making ability can fluctuate and seeks to maintain an older person's connection to their decision-making for as long, and to the greatest extent, possible.

The presumption of capacity applies to every decision to be made. This means that an older person is presumed to be able to make every new decision. If an older person is not able to make a decision on one occasion, it does not mean they should be excluded from decision-making on other occasions.

Supported and substitute decision-making

In contrast to supported decision-making, substitute decision-making includes a range of processes and approaches that involve a person making decisions on another person's behalf. This includes the legal appointment of guardians, administrators and financial managers to make certain decisions on another person's behalf. Under the Act, people recognised as having decision-making authority for an older person are referred to as 'guardians etc'. In policy guidance, these people are referred to as '**active, appointed decision makers**'.

Substitute decision-making should only be used as a last resort, when the older person has experienced or is experiencing a loss in capacity and cannot make or communicate decisions for themselves.

Even when another person makes a decision on behalf of the older person, the older person should remain involved and be at the centre of decisions that affect them, as far as practicable.

Where a person has an active, appointed decision maker, this does not necessarily mean that they cannot make decisions for themselves on a day-to-day basis. The presumption of capacity may continue to apply.

For example, an appointed decision maker may have authority to make particular types of decisions, such as financial decisions. In these circumstances, the older person may still be presumed to have capacity to make decisions about their life. This means the older person may continue to make their own decisions, and be supported to do so. However, for financial decisions within the scope of the active, appointed decision maker's authority, the appointed decision maker may need to be involved as well.

Registered supporters

Under the Act, older people can seek to register people who can support them to make decisions, if they want or need this support. These people are called registered supporters, including in My Aged Care.

The registered supporter role is one of the changes under the Act that aims to promote older peoples' rights to be supported to make their own decisions.

Having a registered supporter does not stop an older person from being able to receive information, make decisions, or communicate directly with others including aged care providers, My Aged Care and assessors. Older people can keep requesting, receiving and communicating information and making decisions.

Similarly, aged care providers and workers must continue to go directly to the older person for decisions, even when there is a registered supporter. An older person can, however, ask a registered supporter to communicate their decisions.

Purpose and role

Registered supporters help older people to make and communicate their own decisions about their aged care services and needs. In practice, this may include a registered supporter speaking to My Aged Care, aged care assessors, aged care providers, and/or the Aged Care Quality and Safety Commission, in line with the older person's known will and preferences. Registered supporters can also request, access and receive information about the older person they support.

A registered supporter could be a trusted family member or friend of an older person's choosing. An older person can have more than one registered supporter.

Becoming a registered supporter does not provide a person with decision-making authority for the older person. A registered supporter's role is to support the older person to make their own decisions.

Some registered supporters also have guardianship, enduring power of attorney or similar legal authority. These people are appointed decision makers for the older person and can make decisions on their behalf under Commonwealth, state or territory arrangements. An appointed decision maker can only make decisions on the older person's behalf in line with their legal authority and if that legal authority is active.

Fluctuating decision-making ability

Registered supporters should recognise that an older person's ability to make decisions and communicate their will and preferences may change from day to day or over time, depending on the circumstances and decision being made. This is called fluctuating decision-making ability.

An older person's experience of fluctuating ability to make decisions does not mean that the older person loses their capacity to make decisions and have those decisions respected and recognised by law. An older person experiencing fluctuating ability to make a decision should be supported to make the decision.

Registered supporters help older people to make and communicate their own aged care decisions, when the older person wants or needs help from their registered supporter. This may mean an older person may require different types or levels of support at certain times of the day, on certain days, or during periods in their life.

When the older person can make decisions and convey their wishes, registered supporters and the older person they support should discuss and, where relevant, document the older person's will, preferences, former decisions and how they prefer to be supported. However, an older person is not necessarily bound by any previously expressed will and/or

preferences. In supporting an older person, registered supporters must remember that an older person may change their mind, including by making decisions that differ from their previously expressed will and/or preferences.

Active, appointed decision makers

Registered supporters who are also active, appointed decision makers for an older person under a Commonwealth, state or territory arrangement must also comply with any duties or requirements under all those Commonwealth, state or territory arrangements. This recognises that at times older people may require a more intensive form of support in their decision-making and the regulation of those arrangements by Commonwealth, state and territory authorities continues to apply.

If a registered supporter who is also an active, appointed decision maker for the older person is supporting the older person to make a decision that is outside the scope of their Commonwealth, state or territory arrangement, they must not make the decision on the older person's behalf. For example, if an active, appointed decision maker has financial decision-making authority only for the older person, this does not extend to making personal or health decisions for the older person. They must instead allow the older person to make personal and health decisions, and if the older person wants support, adopt principles of supported decision-making and support the older person to make their own decision, in line with the duties of a registered supporter.

Duties

All registered supporters have duties under the Act that they must comply with. Registered supporters must act honestly, diligently, and in good faith when undertaking these duties. These duties are intended to promote an older person's safety, rights, will, and preferences.

Registered supporters must act to promote the will and preferences of the older person they are supporting, including decisions the registered supporter may not agree with. They must support the older person only to the extent needed for the older person to make their own decisions. Registered supporters must declare, and avoid or manage, any conflicts of interest.

The Act is designed to safeguard older people from abuse by registered supporters. There are consequences for registered supporters who do not follow their duties. It is also an offence for registered supporters to act dishonestly and abuse their position.

Culturally safe and inclusive support

In addition to acting in a way that promotes an older person's will and preferences by supporting them in their decision-making, registered supporters have a duty to act in a way that promotes the personal, cultural and social wellbeing of the older person. This includes providing culturally safe and inclusive support. In doing so, registered supporters are expected to ensure an older person's diversity is respected and that they perform their role in a way that is culturally safe, sensitive and responsive to the older person they support.

Cultural safety and inclusiveness involves:

- Ongoing critical self-reflection to understand how a registered supporter's own culture, thinking, and actions may impact an older person.

- Recognition and respect for an older person's unique cultural identity.
- Eliminating power imbalances that may challenge or deny an older person's identity, wishes or needs.

Registered supporters can help to promote an older person's right to make their own decisions. As part of supporting an older person's decision-making, registered supporters should:

- Respect the diversity of the older person, including their cultural, religious, linguistic and gender identity, sexual orientation, and life experiences.
- Understand, adopt and advocate for equitable practices in enabling the older person to receive fair treatment and resources based on the older person's wishes, needs, circumstances, and barriers.
- Build or maintain trust and relationships with the community of the older person.
- Ensure decision-making processes are culturally safe, trauma-aware, and healing-informed.
- Avoid assumptions and focus on learning about the lived experiences and expressed wishes of the older person.
- Create a safe relationship where the older person feels respected, heard, and free to express their identity without discrimination or denial.

Only the older person can determine whether an interaction or relationship is culturally safe and inclusive. Registered supporters should therefore remain open to feedback from the older person about their relationship, be willing to learn from the older person about how to best communicate and support them, recognise that an older person's will and preferences may change and evolve and stay committed to continuous improvement in their role as a registered supporter.

Supported decision-making in practice

The support that an older person may want or need may be different in each circumstance, and for each decision the older person makes or communicates. Registered supporters should seek direction from the older person on what supports they would like, if any, coupled with the registered supporter's own knowledge of, and experience with, the older person. This includes that for some decisions, the older person may not want their registered supporter or anyone else to be involved.

Registered supporters should enquire about and listen to feedback from the older person on the supports they want or need. Registered supporters should also respect the decisions an older person makes, even if it is not a decision that the registered supporter would make.

Dignity of risk

Registered supporters may feel pressure or a responsibility to protect an older person. While this may be a way to show they care, older people have the right to make their own decisions, even if those decisions involve personal risks. Their right to continue making their own informed decisions, with knowledge of the options and possible consequences, must be respected. Open and non-judgemental discussions of options and consequences are how

registered supporters can give effect to an older person's right to take risks in their decision-making.

Registering supporters from 1 November 2025

For older people and people supporting them, the process to register or become a registered supporter has mostly stayed the same as the previous process to register a representative relationship in My Aged Care.

From 1 November 2025, if you wish to request to register a supporter, you can contact My Aged Care, an aged care assessor, an Aged Care Specialist Officer, complete the registration form, or apply via your My Aged Care Online Account.

In most cases, an older person will be asked to consent to registering a person as their registered supporter. They will also be asked to consent to that person automatically being given certain information about them. This is information that, under the Act, may or must be provided to an older person.

An older person does not need to consent to the registration of a supporter, if the prospective supporter is relying on their authority as an active, appointed decision maker for the older person under a Commonwealth, state or territory arrangement recognised under the Act.

Generally, these appointments only become active when the older person is experiencing a loss of decision-making capacity. If registered, these supporters are also entitled to receive information that, under the Act, may or must be provided to an older person, without the older person's consent. Proof of the prospective supporter's decision-making authority and/or circumstances of their authority must be provided to My Aged Care as part of the registration process. Medical evidence about the older person may also be needed. In considering a person or organisation's decision-making authority for the older person, the System Governor will also consider the nature of the person's decision-making authority. This includes the extent to which the person's authority extends to making decisions relevant to the delivery of funded aged care services to the older person.

If a supporter has been registered without an older person's consent, the older person will be notified and given information on how to request a review of the decision if they have concerns.

Additionally, a supporter's registration will not record whether the older person wanted support across all aged care decisions, or only for particular aspects of or decisions about their aged care. For example, an older person may want support in understanding financial statements but not in making decisions about their daily living. As part of registering, and once registered, older people and their registered supporters should discuss the older person's wishes for when and how they want to receive support and what information they want to share with their registered supporters.

More information on how to request to register a supporter relationship is available on My Aged Care at www.myagedcare.gov.au/registering-supporter.

More information on the registration process, including information that may be taken into account by the System Governor, are available in the [Registration policy](#).

Other people who provide support

Not every older person will want or need someone to support them.

Conversely, if an older person wants support, there are numerous people, services and organisations who can support them in their decision-making. An older person does not have to register a supporter.

Carers and significant others

A carer is a person who looks after another person in their day-to-day living. Some older people might feel they are already supported by their carers and other significant people in their lives, without needing any of them to become a registered supporter. These people can continue to play an important role in supporting an older person, regardless of whether they are a registered supporter.

Active, appointed decision makers

An active, appointed decision maker does not have to be a registered supporter to make decisions for an older person. They can also act on behalf of the older person without notifying the System Governor. Appointed decision makers may have decision-making authority for personal, health, financial and/or medical treatment matters.

In line with principles of supported decision-making, where possible, appointed decision makers should support the older person to make their own decisions. This includes listening to, respecting and giving effect to the older person's will and preferences.

Where there is no appointed decision maker

There may be times where an older person is no longer able to make decisions and does not have an appointed decision maker (or that person does not have the required type of decision-making authority). Becoming a registered supporter does not afford someone decision-making authority for an older person.

In these circumstances, substitute decision-making arrangements must be sought at a Commonwealth, state or territory level. This might include making an application for an order of a state or territory court, board, panel or tribunal for someone to make a decision on behalf of an older person. Some state and territory arrangements include emergency options to appoint a decision maker quickly, if necessary.

Representative or nominee arrangements with other agencies

An older person may want their registered supporter to help support their decision-making in other aspects of their life and care.

However, the registered supporter role does not extend to aged care means testing. If an older person wants support in matters relating to means testing, carried out by Services Australia or the Department of Veterans Affairs, the person they want supporting them (including their registered supporter) will have to be appointed by those agencies separately.

Similarly, the registered supporter role does not extend to matters beyond Australian Government-funded aged care services. If an older person wants support in matters such as disability support, pensions, Medicare and mental health care, the person they want to support them (including their registered supporter) must establish separate arrangements with the Commonwealth or state and territory agencies or schemes responsible for those matters.

Further, the registered supporter role does not extend to support in undertaking actions related to health, financial or personal matters that are not captured under or for the purpose of the Act. This includes advance care planning (such as writing Advance Care Directives) and estate planning, unless they form part of an older person's aged care services under the Act.

Representatives under the Quality of Care Principles 2014

Under the Act, representative arrangements made under the Quality of Care Principles 2014 no longer exist.

After 1 November 2025, a former representative under the Quality of Care Principles 2014 can:

- If the older person asks, work with the aged care provider. This means an older person can ask the aged care provider to share information with, or receive information from, their former representative. However, this does not grant former representatives the ability to make decisions on behalf of an older person.
- If the former representative is an appointed decision maker, work with the aged care provider.

A former representative under the Quality of Care Principles 2014 can do either of the above things whether or not they are a registered supporter.

However, only appointed decision makers under Commonwealth, state or territory arrangements can make decisions on behalf of an older person, in line with their active, legal authority.

Physical settings

The registered supporter role operates across the aged care system, except for the limitations outlined above, namely with respect to means testing. There is no requirement for the registered supporter role to only operate in certain physical settings, such as a residential care home. Registered supporters can support an older person's decision-making across all settings, provided they are supporting an older person to do a thing under or for the purposes of the Act (except for means testing) and are acting in line with the older person's known will and preferences.

This means that a registered supporter can assist an older person in their own home, in a community setting, general health care setting, hospital, or residential aged care home, as long as their support or actions relate to actions or decisions under or for the purposes of the Act. That is, they relate to the access or receipt of Australian Government-funded aged care services and are within the role and duties of a supporter.

Other resources

Older people and those who support them may wish to find out more about decision-making support, and who can provide it. Options for information and support include:

- The Older Person's Advocacy Network (OPAN) provides free, independent and confidential support and advocacy to older people and people who support them. Learn more at www.opan.org.au and 1800 700 600.
- Aged Care Specialist Officers provide a face-to-face My Aged Care service at select Services Australia centres. Learn more at www.servicesaustralia.gov.au/aged-care-specialist-officer-my-aged-care-face-to-face-services?context=55715.
- Care finders provide extra, intensive support to vulnerable people who have no other support network. Learn more at www.myagedcare.gov.au/help-care-finder.
- State and territory tribunals can be contacted for issues relating to an appointed decision maker under a state or territory arrangement. Learn more about appointed decision makers and where to find further information on state and territory-specific arrangements at www.myagedcare.gov.au/registering-supporter/appointed-decision-makers.

Support for carers

Carer Gateway is an Australian Government program providing free services and supports for unpaid carers. Anyone can contact Carer Gateway by phone at 1800 422 737 or seek further information online at www.carergateway.gov.au/.

Audience

This policy is intended for all stakeholders across the aged care system.

This policy applies to older people and those people who support them including their registered supporters, aged care providers and others who engage My Aged Care and the broader aged care system.

Contact

For any further information on this policy, please contact:

Supported Decision-Making Section

Email: SupportedDecisionMaking@Health.gov.au

Definitions

To learn more about some of the terms used in this policy, and across the Policy Library for registered supporters, please go to the [Glossary](#).

Related legislation and conventions

[Aged Care Act 2024 \(Cth\)](#)

[Aged Care Rules 2025 \(Cth\)](#)

Convention on the Rights of Persons with Disabilities, Article 12

- Article 12 of the CPRD recognises that people with disability should enjoy legal capacity on an equal basis with others in all aspects of life, and that appropriate measures should be taken to provide people with disability access to the support they may require in exercising their legal capacity.
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ⁱ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 'Final Report Volume 6: Enabling autonomy and access', p 118 available at <https://disability.royalcommission.gov.au/publications/final-report-volume-6-enabling-autonomy-and-access>.

ⁱⁱ Bigby, Christine; Carney, Terry; Then, Shih-Ning; Wiesel, Ilan; Sinclair, Craig; Douglas, Jacinta; et al. (2023). Diversity, dignity, equity and best practice: a framework for supported decision-making. La Trobe. Report. <https://doi.org/10.26181/21965183.v2>

ⁱⁱⁱ User Rights Principles 2014 (Cth), Schedule 1.

^{iv} Australian Law Reform Commission, Equality, capacity and disability in Commonwealth laws, Final report, ALRC report 124, August 2014.