

2004

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Bill Stefaniak)

Discrimination Amendment Bill 2004

A Bill for

An Act to amend the *Discrimination Act 1991*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Discrimination Amendment Act 2004*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This Act amends the *Discrimination Act 1991*.

4 New section 34A

insert

34A Overcoming gender imbalance in professions etc

Section 10 (1) (a) or (b), section 12 (1) (a) or (b) or section 13 (b), does not make it unlawful for a person to discriminate against someone else on the ground of sex if—

- (a) statistical data on which it is reasonable to rely show a gender imbalance in a particular profession, trade, occupation or calling; and
- (b) the discrimination is—
 - (i) to assist in overcoming the imbalance; and
 - (ii) reasonable having regard to the data and any other relevant factors; and
 - (iii) in the public interest.

1 **Example**

2 an employer gives preference to males when hiring teachers

3 *Note* An example is part of the Act, is not exhaustive and may extend, but
4 does not limit, the meaning of the provision in which it appears (see
5 Legislation Act, s 126 and s 132).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2004.

2 Notification

Notified under the Legislation Act on 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
