

2000
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Discrimination Amendment Bill 2000

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 2000*.

5 2 Commencement

This Act commences on a day fixed by the Minister by notice in the Gazette.

Note 1 The provisions of an Act providing for its name and commencement automatically commence on the date of notification of the Act (see *Interpretation Act 1967*, s 10B).

Note 2 A single day or time may be fixed, or different days or times may be fixed for different provisions (see *Interpretation Act 1967*, s 10C (1)).

30407 (1999/235) (T10/2000)

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Note 3 If a provision has not commenced within 6 months beginning on the date of notification of the Act, it automatically commences on the first day after that period (see *Interpretation Act 1967*, s 10E (2)).

3 Act amended

5 This Act amends the *Discrimination Act 1991*.

4 Insertion

After section 57M the following section is inserted in Division 6 of Part 4:

“57MA Credit applications

10 “(1) This section applies only in relation to—

- (a) a credit application given to a credit provider after the commencement of this section; and
- (b) if the credit provider decides to provide credit to the applicant for credit—the initial terms on which the credit is given.

15 “(2) Nothing in Part 3 makes it unlawful for a credit provider to discriminate against an applicant for credit on the ground of age by refusing to give credit, or on the terms on which credit is given, if—

(a) the criteria for refusal or the terms imposed—

20 (i) are based on actuarial or statistical data on which it is reasonable for the credit provider to rely or, if there is no such data, on other data on which it is reasonable to rely; and

(ii) are reasonable having regard to the data and any other relevant factors; and

25 (b) the credit provider tells the commissioner or tribunal the sources on which the data is based and the relevant factors, if the commissioner or tribunal so requires.

“ (3) In this section—

30 ***credit provider*** means a person who provides credit in the course of a business carried on by that person.”.

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Endnote

Act amended

- 1 Republished as in force on 31 January 1999. See also Acts 1999 Nos 22, 60, 64, 66 and 83; 2000 No 2.

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