



AUSTRALIAN CAPITAL TERRITORY

Discrimination (Amendment) Act 1995

No. 9 of 1995

An Act to amend the *Discrimination Act 1991*

[Notified in ACT Gazette S135: 30 June 1995]

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

Short title

1. This Act may be cited as the *Discrimination (Amendment) Act 1995*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

3. In this Act, “Principal Act” means the *Discrimination Act 1991*.¹

Insertion

4. After section 5 of the Principal Act the following section is inserted in Part I:

MLAs as employers

“6. For the purposes of this Act, a member of the Legislative Assembly (whether in his or her capacity as an office-holder within the meaning of the *Legislative Assembly (Members’ Staff) Act 1989* or otherwise) shall be taken to be an employer in relation to a person who is, or who is seeking to be, employed, under section 5 or 10 of that Act, as a member of the staff of the member.”.

Employment etc.

5. Section 59 of the Principal Act is amended by adding at the end the following subsections:

“(6) It is unlawful for a workplace participant to subject another workplace participant, or a person seeking to become a workplace participant at that workplace, to sexual harassment at a place that is a workplace, or potential workplace, as the case requires, of both of those persons.

“(7) In this section—

‘place’ includes a ship, aircraft or vehicle;

‘workplace’ means a place at which a workplace participant works or otherwise carries out functions in connection with being a workplace participant;

‘workplace participant’ means any of the following:

- (a) an employer or employee;
- (b) a commission agent or contract worker;
- (c) a partner in a partnership.”.

[Presentation speech made in Assembly on 31 May 1995]

NOTE**Principal Act**

1. Reprinted as at 31 May 1994. See also Acts Nos. 38, 60 and 103, 1994.

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