

2006

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Human Rights Commission Legislation Amendment Bill 2006

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Human Rights Commission Legislation Amendment Bill 2006

A Bill for

An Act to amend the *Human Rights Commission Act 2005*, and for other purposes

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

1 **1 Name of Act**

2 This Act is the *Human Rights Commission Legislation Amendment*
3 *Act 2006*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

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

8 **3 Legislation amended**

9 This Act amends the *Human Rights Commission Act 2005*.

10 *Note* This Act also amends the following legislation (see sch 1):

- 11 • *Health Records (Privacy and Access) Act 1997*
- 12 • *Human Rights Commission (Children and Young People*
13 *Commissioner) Amendment Act 2005*
- 14 • *Human Rights Commission Legislation Amendment Act 2005*
- 15 • *Public Advocate Act 2005*.

16 **4 Section 2**

17 *substitute*

18 **2 Commencement**

19 (1) This Act commences on a day fixed by the Minister by written
20 notice.

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

23 *Note 2* A single day or time may be fixed, or different days or times may be
24 fixed, for the commencement of different provisions (see Legislation
25 Act, s 77 (1)).

- 1 (2) The Legislation Act, section 79 (Automatic commencement of
2 postponed law) does not apply to this Act.

1 **Schedule 1 Consequential amendments**
2 (see s 3)

3 **Part 1.1 Health Records (Privacy and**
4 **Access) Act 1997**

5 **[1.1] New part 10**
6 *insert*

7 **Part 10 Transitional—Human Rights**
8 **Commission Legislation**
9 **Amendment Act 2006**

10 **50 Transitional—effect of Health Records (Privacy and**
11 **Access) Amendment Act 2005 (No 2)**

- 12 (1) The *Health Records (Privacy and Access) Amendment Act 2005*
13 *(No 2)* A2005-63 is taken to have always had effect as if each
14 amendment of the dictionary were an amendment of section 4.
15 (2) This section is a law to which the Legislation Act, section 88
16 (Repeal does not end effect of transitional laws etc) applies.

17 **51 Expiry—pt 10**

18 This part expires on the day after the day it commences.

1 **Part 1.2** **Human Rights Commission**
2 **(Children and Young People**
3 **Commissioner) Amendment**
4 **Act 2005**

5 **[1.2] Section 2**

6 *substitute*

7 **2 Commencement**

8 This Act commences on the commencement of the *Human Rights*
9 *Commission Act 2005*, section 3.

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

12 **Part 1.3** **Human Rights Commission**
13 **Legislation Amendment Act 2005**

14 **[1.3] Section 2 (2)**

15 *substitute*

16 (2) The following amendments in schedule 1 commence on the
17 commencement of the *Human Rights Commission Legislation*
18 *Amendment Act 2006*:

- 19 • amendment 1.92
- 20 • amendment 1.93
- 21 • amendment 1.94
- 22 • amendment 1.95
- 23 • amendment 1.97
- 24 • amendment 1.100.

1 (3) The remaining provisions commence on the commencement of the
2 *Human Rights Commission Act 2005*, section 3.

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

5 **[1.4] Schedule 1, amendment 1.93**

6 *substitute*

7 **[1.93] Section 4, definitions of *health record, health service,***
8 ***health service provider, immediate family member,***
9 ***medical board, personal health information, record,***
10 ***record keeper and registration board***

11 *omit*

12 **[1.5] Schedule 1, amendment 1.95, new section 4B, note 1**

13 *omit*

14 the offences against section 23

15 *substitute*

16 all offences against this Act

17 **[1.6] Schedule 1, amendment 1.100, new dictionary, definitions**
18 **of *commission, consumer, disability* and *guardian***

19 *omit*

20 **[1.7] Schedule 1, new amendments**

21 *in part 1.6, insert*

22 **[1.100A] Dictionary, definition of *commissioner***

23 *omit*

24 **[1.100B] Dictionary, new definition of *commission***

25 *insert*

26 ***commission*** means the human rights commission.

1 **[1.100C] Dictionary, definition of *disability***

2 *substitute*

3 *disability*—see the *Human Rights Commission Act 2005*,
4 section 8 (2).

5 **Part 1.4 Public Advocate Act 2005**

6 **[1.8] Section 2**

7 *substitute*

8 **2 Commencement**

9 (1) This Act (other than section 11 (2)) commences on 1 March 2006.

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

12 (2) Section 11 (2) commences on the commencement of the *Human*
13 *Rights Commission Act 2005*, section 3.

Endnotes

1 **1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2006.

2 **2 Notification**

Notified under the Legislation Act on 2006.

3 **3 Republications of amended laws**

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