

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**DISCRIMINATION AMENDMENT BILL 1999**

**EXPLANATORY MEMORANDUM**

**Circulated by Authority of**

**Jon Stanhope  
Member for Ginninderra**

## **EXPLANATORY MEMORANDUM**

### **Discrimination Amendment Bill 1999**

#### **Outline**

This Bill amends the *Discrimination Act 1991* (called the Principal Act) to make it unlawful to discriminate against a woman on the basis that she is breastfeeding a child.

#### **Formal Clauses**

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement date and definition of the Principal Act. The Bill commences on the date it is notified in the *Gazette*.

#### **Grounds**

Clause 4 amends section 7 of the Principal Act to insert a new ground of discrimination, (fa) breastfeeding, that is unlawful.

#### **Heading to Division 2 of Part 4**

The heading to Division 2 of Part 4 is amended by omitting "or pregnancy" and substituting ", pregnancy or breastfeeding".

#### **Pregnancy, childbirth or breastfeeding**

Section 37 is amended to make clear that it is not unlawful for a person to discriminate against a man on the ground of sex by reason only that the firstmentioned person grants to a woman rights or privileges in connection with pregnancy, childbirth or breastfeeding.

#### **Accommodation provided for employees, contract workers or students**

Subsection (1) of section 39 is amended to make clear that, in relation to discrimination on the ground of sex, marital status, pregnancy or breastfeeding, it is not unlawful for an employer or principal who provides accommodation to employees or contract workers to provide accommodation of different standards on the criteria set out in the section.