



Anti-Discrimination Regulation 2004

under the

Anti-Discrimination Act 1977

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Anti-Discrimination Act 1977*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to remake the *Anti-Discrimination Regulation 1999*, which is to be repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

The object of this Regulation is to overcome the decision, given on 13 November 1998, of the New South Wales Administrative Decisions Tribunal (Equal Opportunity Division) in *Cassidy v Cronulla Golf Club Limited*. That decision held that it was unlawful, under the *Anti-Discrimination Act 1977*, for the Cronulla Golf Club Limited to halve the membership fees of certain members of the Club on account, partly, of their age.

The Regulation comprises or relates to matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

The Regulation is made under the *Anti-Discrimination Act 1977*, including sections 49ZYX and 127 (the general regulation-making power).

2004 No 485

Clause 1 Anti-Discrimination Regulation 2004

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1 Name of Regulation

This Regulation is the *Anti-Discrimination Regulation 2004*.

2 Commencement

This Regulation commences on 1 September 2004.

Note. This Regulation replaces the *Anti-Discrimination Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition and notes

- (1) In this Regulation, *the Act* means the *Anti-Discrimination Act 1977*.
- (2) Notes in the text of this Regulation do not form part of this Regulation.

4 Lawful activities of registered clubs

- (1) Pursuant to section 49ZYX of the Act, the provision, in good faith, of a benefit, including a concession, to a member of a registered club by reason of his or her age is declared to be lawful.
- (2) Without limiting subclause (1), a benefit, or concession, may comprise a lower membership fee than the membership fee that is paid by other members of the registered club.

BY AUTHORITY