

[Act 1998 No 34]



New South Wales

Disability Discrimination Legislation Amendment Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.*

Overview of Bill

The object of this Bill is to amend certain Acts for consistency with the *Disability Discrimination Act 1992* of the Commonwealth (*the Commonwealth Act*), as follows:

- (a) The *Conveyancers Licensing Act 1995*, the *Driving Instructors Act 1992*, the *Legal Profession Act 1987*, the *Local Government Act 1993*, the *Mines Inspection Act 1901* and the *Veterinary Surgeons Act 1986* are amended to insert provisions making it clear that qualifying bodies and employers cannot discriminate against a person because of a disability (for instance, by refusing a professional qualification or denying employment), unless the person, because of the disability, would be unable to carry out the inherent requirements of the occupation or employment concerned. The amendments insert provisions in those Acts that are similar to the provisions of the Commonwealth Act, in particular sections 15 and 19 of that Act.

Amended in committee—see table at end of volume.

- (b) The *Community Land Development Act 1989* is amended to extend provisions that ensure that a person is not prevented from keeping or using a guide dog that assists the person with a visual disability to guide dogs that assist people with hearing disabilities.
- (c) The *Superannuation Act 1916* is amended so that a woman's entitlement under that Act to commute her pension on reaching the age of 55 years is not affected by whether or not she is retired because of disability.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the Acts set out in Schedule 1.

Clause 4 makes it clear that explanatory notes do not form part of the proposed Act.

Schedule 1 makes amendments to the following Acts:

Community Land Development Act 1989

Conveyancers Licensing Act 1995

Driving Instructors Act 1992

Legal Profession Act 1987

Local Government Act 1993

Mines Inspection Act 1901

Superannuation Act 1916

Veterinary Surgeons Act 1986

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 1.