



New South Wales

# Anti-Discrimination Amendment (Equal Opportunity in Public Employment) Bill 2007

## Explanatory note

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

## Overview of Bill

Part 9A of the *Anti-Discrimination Act 1977* makes provision for equal employment opportunity (**EEO**) in the public sector. Each public sector agency to which the Part applies (including State owned corporations) is required to report directly, on an annual basis, to the Director of Equal Opportunity in Public Employment on the EEO activities and programs undertaken by the agency during the reporting period, the results achieved by those activities and programs and the proposed activities and specific aims set for the following year. In addition to this EEO reporting requirement, each agency is required to include in its annual report under the relevant Annual Reports legislation a statement setting out the EEO achievements of the agency during the year and the key EEO strategies proposed by the agency for the following year.

The object of this Bill is to amend the *Anti-Discrimination Act 1977*:

- (a) to remove the requirement under Part 9A of that Act for agencies to report to the EEO Director on EEO matters, and

- (b) to change references in that Part to physically handicapped or physically impaired persons (who comprise a designated EEO target group) with references to persons who have a disability (which is the more appropriate term used elsewhere in the Act, particularly in those provisions dealing with discrimination on the ground 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 the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Anti-Discrimination Act 1977* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

**Schedule 1** contains the amendments to the *Anti-Discrimination Act 1977* described in the overview above.

First print



New South Wales

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New South Wales

# **Anti-Discrimination Amendment (Equal Opportunity in Public Employment) Bill 2007**

No. , 2007

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## **A Bill for**

An Act to amend the *Anti-Discrimination Act 1977* with respect to separate annual reporting on EEO matters and to update references to persons with a disability.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Anti-Discrimination Amendment (Equal Opportunity in Public Employment) Act 2007</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Amendment of Anti-Discrimination Act 1977 No 48</b>	7
The <i>Anti-Discrimination Act 1977</i> is amended as set out in Schedule 1.	8
<b>4 Repeal of Act</b>	9
(1) This Act is repealed on the day following the day on which this Act commences.	10 11
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	12 13

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**Schedule 1      Amendments**

		1
	(Section 3)	2
<b>[1]    Section 122C Objects</b>		3
Omit “physical impairment” from section 122C (a). Insert instead “disability”.		4
<b>[2]    Sections 122C (b) and 122I (3)</b>		5
Omit “physically handicapped persons” wherever occurring.		6
Insert instead “persons who have a disability”.		7
<b>[3]    Section 122L Annual report to Director</b>		8
Omit the section.		9