

# Anti-Discrimination Regulation 2004

[2004-485]



New South Wales

## Status Information

### Currency of version

Historical version for 1 October 2004 to 31 December 2008 (accessed 29 November 2024 at 12:46)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
[Administrative Decisions Tribunal Amendment Act 2008 No 77](#) (not commenced — to commence on 1.1.2009)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 19 December 2008

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New South Wales

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# Anti-Discrimination Regulation 2004



New South Wales

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This Regulation replaces the *Anti-Discrimination Regulation 1999* which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.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

## 5 Matters to be considered in relation to exemption orders

- (1) The Minister and the Board, when exercising a function under section 126 in relation to a proposed exemption under that section, are to consider the following matters:
  - (a) whether the proposed exemption is appropriate or reasonable,
  - (b) whether the proposed exemption is necessary,
  - (c) whether there are any non-discriminatory ways of achieving the objects or purposes for which the proposed exemption is sought,

- (d) whether the proponent of the proposed exemption has taken reasonable steps, or is able to take any reasonable steps, to avoid or reduce the adverse effect of a particular act or action before seeking the exemption,
  - (e) the public, business, social or other community impact of the granting of the proposed exemption,
  - (f) any conditions or limitations to be contained in the proposed exemption.
- (2) In this clause, a reference to a **proposed exemption** includes a reference to a proposed renewal, variation or revocation of an exemption.
- (3) Nothing in this clause limits the power of the Minister or the Board to consider any other matters when exercising their functions under section 126 of the Act.