

# Anti-Discrimination Regulation 2019

[2019-381]



New South Wales

## Status Information

### Currency of version

Current version for 16 August 2019 to date (accessed 19 May 2024 at 23:00)

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—

- **Editorial note**

The Parliamentary Counsel's Office is progressively updating certain formatting styles in versions of NSW in force legislation published from 29 July 2019. For example, colons are being replaced by em-rules (em-dashes). Text of the legislation is not affected.

This version has been updated.

- **Staged repeal status**

This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2024

### 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 16 August 2019

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# Anti-Discrimination Regulation 2019



New South Wales

## 1 Name of Regulation

This Regulation is the [Anti-Discrimination Regulation 2019](#).

## 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

### Note—

This Regulation repeals and replaces the [Anti-Discrimination Regulation 2014](#), which would otherwise be repealed on 1 September 2019 by section 10(2) of the [Subordinate Legislation Act 1989](#).

## 3 Definition

(1) In this Regulation—

**the Act** means the [Anti-Discrimination Act 1977](#).

### Note—

The Act and the [Interpretation Act 1987](#) contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

## 4 Lawful activities of registered clubs

- (1) For the purposes of 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 the member's 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 Use of email to lodge complaints

For the purposes of section 89A(2)(c) of the Act, a complaint may be lodged with the President by email to an email address specified on the Board's website.

## **6 Matters to be considered in relation to exemption orders**

- (1) The President, when exercising a function under section 126 of the Act in relation to a proposed exemption under that section, is 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, **proposed exemption** includes a proposed renewal, variation or revocation of an exemption.
- (3) Nothing in this clause limits the power of the President to consider any other matters when exercising functions under section 126 of the Act.

## **7 Repeal and savings**

- (1) The [Anti-Discrimination Regulation 2014](#) is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the [Anti-Discrimination Regulation 2014](#), had effect under that Regulation continues to have effect under this Regulation.