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Statutory Rules 1989 No. 1

407/

Human Rights and Equal Opportunity Commission Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Human Rights and Equal Opportunity Commission Act 1986*.

Dated 21 DECEMBER 1989.

BILL HAYDEN

Governor-General

By His Excellency's Command,

LIONEL BOWEN
 Attorney-General

Citation

1. These Regulations may be cited as the Human Rights and Equal Opportunity Commission Regulations.

Commencement

2. These Regulations commence on 1 January 1990.

Interpretation

3. In these Regulations, unless the contrary intention appears:

“impairment” means:

- (a) total or partial loss of a bodily function; or
- (b) the presence in the body of organisms causing disease; or
- (c) total or partial loss of a part of the body; or
- (d) malfunction of a part of the body; or
- (e) malformation or disfigurement of a part of the body;

“marital status” has the same meaning as in the *Sex Discrimination Act 1984*;

“the Act” means the *Human Rights and Equal Opportunity Commission Act 1986*.

Other distinctions, exclusions or preferences that constitute discrimination

4. For the purposes of subparagraph (b) (ii) of the definition of "discrimination" in subsection 3 (1) of the Act, any distinction, exclusion or preference made:

(a) on the ground of:

- (i) age; or
- (ii) medical record; or
- (iii) criminal record; or
- (iv) impairment; or
- (v) marital status; or
- (vi) mental, intellectual or psychiatric disability; or
- (vii) nationality; or
- (viii) physical disability; or
- (ix) sexual preference; or
- (x) trade union activity; or
- (xi) one or more of the grounds specified in subparagraphs (iii) to (x) (inclusive) which existed but which has ceased to exist; or

(b) on the basis of the imputation to a person of any ground specified in paragraph (a);

is declared to constitute discrimination for the purposes of the Act.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on

1989.

21 December