

Disability Discrimination Regulations 2019

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 05 September 2019

David Hurley

Governor‑General

By His Excellency’s Command

Christian Porter

Attorney‑General

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Part 1—Preliminary

1 Name

This instrument is the *Disability Discrimination Regulations 2019*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | 1 October 2019. | 1 October 2019 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Disability Discrimination Act 1992*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

***Act*** means the *Disability Discrimination Act 1992*.

Part 2—Exemptions from prohibition of disability discrimination

6 Exemption of things done in compliance with a prescribed law

Commonwealth

(1) For the purposes of subsection 47(2) of the Act, the following laws of the Commonwealth are prescribed laws:

(a) Part 9D of the *Broadcasting Services Act 1992*;

(b) Civil Aviation Order 20.16.3.

New South Wales

(2) For the purposes of subsection 47(2) of the Act, the following laws of New South Wales, as in force from time to time, are prescribed laws:

(a) *Mental Health Act 2007* (NSW);

(b) *Mental Health Regulation 2013* (NSW);

(c) paragraphs 56(1)(e), 60(1)(c) and (d), subclause 60(2), paragraphs 65(1)(a) and (b), clause 86, paragraph 96(4)(h) and subclause 122(4) of the *Road Transport (Driver Licensing) Regulation 2017* (NSW).

South Australia

(3) For the purposes of subsection 47(2) of the Act, the following laws of South Australia*,* as in force from time to time, are prescribed laws:

(a) subsection 75(3) and section 75A of the *Education Act 1972* (SA);

(b) regulation 10 of the *Fair Work (General) Regulations 2009* (SA);

(c) section 20 of the *Firearms Act 2015* (SA);

(d) section 80 of the *Motor Vehicles Act 1959* (SA).

7 Combat duties

For the purposes of the definition of ***combat duties*** in subsection 53(2) of the Act, duties which require, or which are likely to require, a person to commit, or participate directly in the commission of, an act of violence in the event of armed conflict are declared to be combat duties.

8 Combat‑related duties

For the purposes of the definition of ***combat‑related duties*** in subsection 53(2) of the Act, the following duties are declared to be combat‑related duties:

(a) duties which require, or which are likely to require, a person to undertake training or preparation for, or in connection with, combat duties;

(b) duties which require, or which are likely to require, a person to work in support of a person performing combat duties.

Schedule 1—Repeals

Disability Discrimination Regulations 1996

1 The whole of the instrument

Repeal the instrument.