

Australian Human Rights Commission Regulations 2019

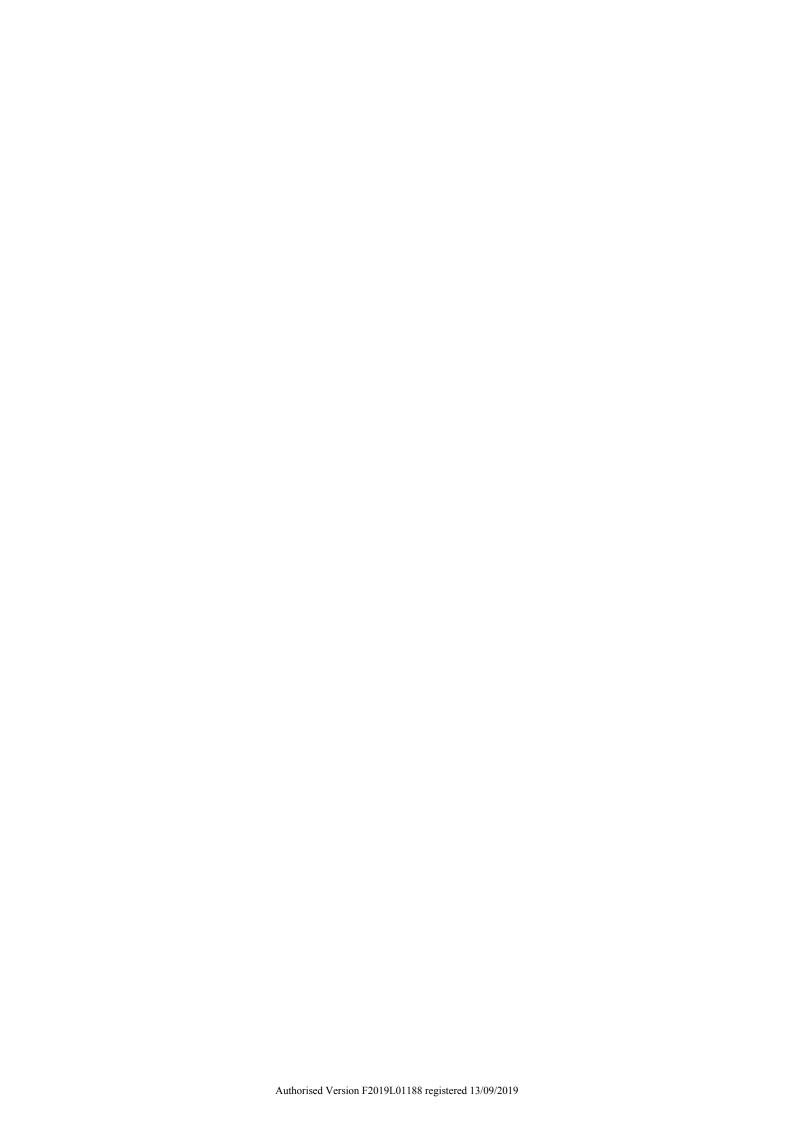
I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 05 September 2019

David Hurley Governor-General

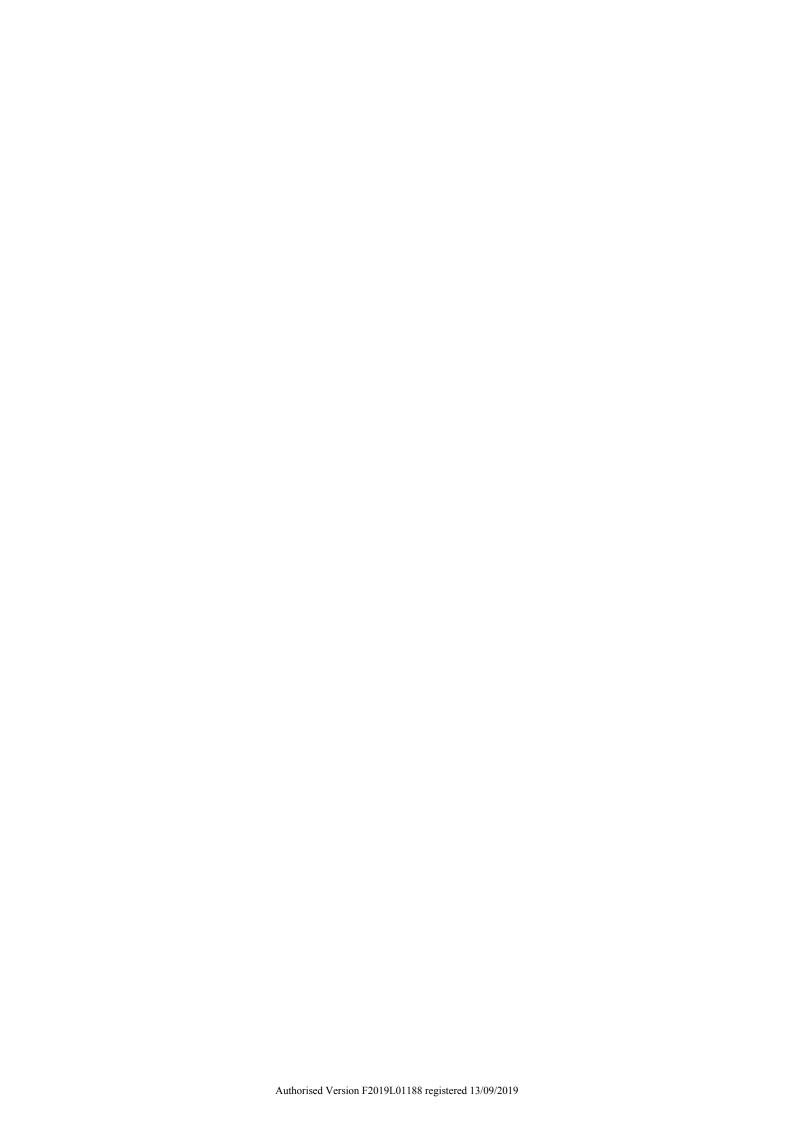
By His Excellency's Command

Christian Porter Attorney-General



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Part 1—Preliminary

1 Name

This instrument is the Australian Human Rights Commission 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 Date/Details		
Provisions	Commencement			
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This table relates only to the provisions of this instrument as originally made.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 Australian Human Rights Commission Act 1986.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Australian Human Rights Commission Act 1986.

disability has the same meaning as in the Disability Discrimination Act 1992.

marital or relationship status has the same meaning as in the Sex Discrimination Act 1984.

Part 2—Declared discrimination

6 Other distinctions, exclusions or preferences that constitute discrimination

For the purposes of subparagraph (b)(ii) of the definition of *discrimination* in subsection 3(1) of the Act, the following are declared to constitute discrimination for the purposes of the Act:

- (a) any distinction, exclusion or preference made on the ground of:
 - (i) age; or
 - (ii) a medical record; or
 - (iii) an irrelevant criminal record; or
 - (iv) disability; or
 - (v) marital or relationship status; or
 - (vi) nationality; or
 - (vii) sexual orientation; or
 - (viii) trade union activity;
- (b) any distinction, exclusion or preference made on one or more of the grounds specified in subparagraphs (a)(iii) to (viii) which existed in relation to a person but which has ceased to exist in relation to that person;
- (c) any distinction, exclusion or preference made on the basis of the imputation to a person of any ground specified in paragraph (a) or (b).

Part 3—Application and transitional provisions

7 Application of discrimination grounds

- (1) Section 6 applies in relation to distinctions, exclusions or preferences made on or after 1 October 2019.
- (2) Despite the repeal of the *Australian Human Rights Commission**Regulations 1989 by Schedule 1 to this instrument, regulation 4 of the *Australian Human Rights Commission Regulations 1989* continues to apply on and after 1 October 2019 in relation to distinctions, exclusions or preferences made before that day.

Schedule 1—Repeals

Australian Human Rights Commission Regulations 1989

1 The whole of the instrument

Repeal the instrument.