



Workplace Gender Equality (Gender Equality Standards) Instrument 2023

I, Katy Gallagher, Minister for Women, make the following instrument.

Dated 3 February 2023

Katy Gallagher
Minister for Women

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Part 1—Preliminary

1 Name

This instrument is the *Workplace Gender Equality (Gender Equality Standards) Instrument 2023*.

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	The day after this instrument is registered.	6 February 2023

Note: This table relates only to the provisions of this instrument as originally made.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 section 19 of the *Workplace Gender Equality Act 2012*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) gender equality indicators;
- (b) governing body;
- (c) relevant employer;
- (d) reporting period.

In this instrument:

Act means the *Workplace Gender Equality Act 2012*.

designated relevant employer: see subsection 6(1).

Part 2—Minimum standards

6 Minimum Standards

- (1) For the purposes of subsection 19(1) of the Act, the minimum standards set in subsection (3) of this section are set in relation to a relevant employer that is the employer of 500 or more employees in Australia (a *designated relevant employer*).
- (2) For the purposes of subsection 19(1) of the Act, the minimum standards set in subsection (3) of this section are set in relation to a reporting period:
 - (a) for a designated relevant employer that is a Commonwealth company or Commonwealth entity—commencing on 1 January 2024 and each subsequent reporting period; and
 - (b) for any other designated relevant employer—commencing on 1 April 2023 and each subsequent reporting period.
- (3) For the purposes of subsection 19(1) of the Act, the following minimum standards are set in relation to each gender equality indicator specified in the following table:
 - (a) a designated relevant employer must have in place policies or strategies to support each gender equality indicator specified in column 1 of the table;
 - (b) the policies or strategies must aim to achieve the objective specified in column 2 of the table for each gender equality indicator.

Item	Column 1 Gender equality indicator	Column 2 Objective
1	Gender composition of the workforce	Supporting gender equality in the designated relevant employer's workplace
2	Gender composition of governing bodies of relevant employers	Supporting and achieving gender equality in the designated relevant employer's governing body
3	Equal remuneration between women and men	In relation to employees of the designated relevant employer, ensuring equal remuneration between women and men
4	Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities	Providing effective flexible working arrangements for employees of the designated relevant employer with family or caring responsibilities
5	Consultation with employees on issues concerning gender equality in the workplace	Ensuring employees are consulted and have input on issues concerning gender equality in the designated relevant employer's workplace

Section 6

Item	Column 1 Gender equality indicator	Column 2 Objective
6	Sexual harassment, harassment on the ground of sex or discrimination	Prevention of, and appropriate response to, sexual harassment, harassment on the ground of sex or discrimination in the designated relevant employer's workplace

Part 3—Application, saving and transitional provisions

7 Application of *Workplace Gender Equality (Minimum Standards) Instrument 2014*

Despite the repeal of the *Workplace Gender Equality (Minimum Standards) Instrument 2014* (the **2014 instrument**) by this instrument, the 2014 instrument, as in force immediately before that repeal, continues to apply in relation to a reporting period that commenced before the repeal of the 2014 instrument.

Schedule 1—Repeals

Workplace Gender Equality (Minimum Standards) Instrument 2014

1 The whole of the instrument

Repeal the instrument.