

Chapter 2

Appendix

Appendix

JURISDICTION AND LEGISLATION	ATTRIBUTES COVERED	OTHER UNLAWFUL ACTIVITY	AREAS COVERED	ADMINISTRATIVE BODIES AND TRIBUNALS
FEDERAL <i>Racial Discrimination Act 1975</i>	Race, colour, descent, or national or ethnic origin.	Discriminatory advertisements, offensive behaviour based on racial hatred, victimisation, false or misleading information.	<i>Work related areas:</i> employment, employment agencies, right to join trade union. <i>Other areas:</i> access to places and facilities, land, housing or other accommodation, provision of goods and services.	Human Rights and Equal Opportunity Commission receives and investigates complaints and conducts conciliations. Federal Court and Federal Magistrates court conduct hearings.

<p>FEDERAL <i>Sex Discrimination Act 1984</i></p>	<p>Sex, marital status, pregnancy, potential pregnancy, family responsibilities</p>	<p>Sexual harassment, discriminatory application forms, discriminatory advertisements victimisation</p>	<p><i>Work related areas:</i> employment, superannuation commission agents, contract workers, partnerships, qualifying bodies, registered organisations under the Workplace Relations Act 1996, employment agencies. <i>Other areas:</i> Education, goods, services and facilities, accommodation, land, clubs, administration of Commonwealth laws and programs.</p>	<p>Human Rights and Equal Opportunity Commission receives and investigates complaints and conducts conciliations. Federal Court and Federal Magistrates court conduct hearings.</p>
<p>FEDERAL <i>Disability Discrimination Act 1992</i></p>	<p>Disability</p>	<p>Harassment based on disability, victimisation, inciting of the doing of an unlawful act, discriminatory advertisements, unlawful request for information.</p>	<p><i>Work and related areas:</i> employment, commission agents, contract workers, partnerships, qualifying bodies, registered organisations under the Workplace Relations Act 1996, employment agencies. <i>Other areas:</i> Education, access to premises, goods, services and facilities, accommodation, land, clubs and incorporated associations, sport.</p>	<p>Human Rights and Equal Opportunity Commission receives and investigates complaints and conducts conciliations. Federal Court and Federal Magistrates court conduct hearings.</p>

<p>FEDERAL <i>Human Rights and Equal Opportunity Commission Act 1986 and Regulations</i></p>	<p>Race, colour, sex, religion, political opinion, national extraction or social origin, age, medical record, criminal record, impairment, marital status, mental, intellectual or psychiatric disability, sexual preference or trade union activity.</p>		<p>Employment or occupation.</p>	<p>Human Rights and Equal Opportunity Commission conducts investigations (no enforceable outcome).</p>
<p>ACT <i>Discrimination Act 1991</i></p>	<p>Sex, sexuality, transsexuality, marital status, status as a parent or carer, pregnancy, race, religious or political conviction, impairment, membership of an association or organisation of employers or employees, age, profession, trade occupation or calling, association (whether as a relative or otherwise, with a person identified by reference to one of the above attributes.</p>	<p>Racial vilification, victimisation, discriminatory advertising, requests for information.</p>	<p><i>Work and related areas:</i> Applicants and employees, commission agents, contract workers, partnerships, professional or trade organisations qualifying bodies, employment agencies. <i>Other areas:</i> Education, access to premises, goods services and facilities, accommodation, clubs.</p>	<p>Discrimination Commissioner receives and investigates complaints and conducts conciliations. Discrimination Tribunal conducts hearings.</p>

<p>NSW <i>Anti-Discrimination Act 1977</i></p>	<p>Race, colour, nationality, descent, and ethnic, ethno religious and national origin, sex, pregnancy, transgender, marital status, disability, responsibilities as a carer, homosexuality, compulsory retirement, age, relation to or association with a person who has an attribute (except with respect to the ground of responsibilities as a carer).</p>	<p>Racial vilification, homosexual vilification, HIV/AIDS vilification, sexual harassment, victimisation, discriminatory advertising, aiding and abetting a breach of the Act.</p>	<p><i>Work and related areas:</i> applicants and employees, commission agents, contract workers, partnerships, local government councillors, industrial organisations, qualifying bodies and employment agencies. <i>Other areas:</i> Education, goods and services, accommodation, registered clubs. Note that the ground of <i>responsibilities as a carer</i> is only applicable in the area of work.</p>	<p>Anti-Discrimination Board of New South Wales receives and investigates complaints and conducts conciliations. Administrative Decisions Tribunal, Equal Opportunity Division, conducts hearings.</p>
<p>NT <i>Anti-Discrimination Act</i></p>	<p>Race, sex, sexuality, age, marital status, pregnancy, parenthood, breastfeeding, impairment, trade union or employer association activity, religious belief or activity, political opinion, affiliation or activity, irrelevant medical record, irrelevant criminal record, association with a person who has, or is believed to have, one of the above attributes.</p>	<p>Sexual harassment, victimisation, failure to accommodate a special need, discriminatory advertising, unnecessary information, aiding a contravention of the Act.</p>	<p><i>Work related areas:</i> Job applicants employees, professional and trade organisations, qualifying bodies, employment agencies, accommodation, goods, services and facilities, clubs, insurance and superannuation. <i>Other areas:</i> Education, accommodation, goods and services, facilities, clubs, insurance and superannuation.</p>	<p>Discrimination Commissioner or delegate receives and investigates complaints and conducts conciliations. Hearing conducted by Commissioner or person appointed by Minister.</p>

<p>Qld <i>Anti-Discrimination Act 1991</i></p>	<p>Sex, marital status, pregnancy, parental status, breastfeeding (goods and services area only), age, race, impairment, religion, political belief or activity, trade union activity, lawful sexual activity, association with or relation to a person identified on the basis of any of the above attributes.</p>	<p>Incitement to racial or religious hatred, sexual harassment, requesting or encouraging another person to contravene the Act, unlawful requests for information, discriminatory advertising, victimisation.</p>	<p><i>Work and related areas:</i> job applicants, employees, partnerships, industrial associations, professional trade or business organisations, qualifying bodies, employment agencies. <i>Other areas:</i> Education, goods and services, superannuation insurance, disposition of land, accommodation, clubs, administration of state laws and programs, local government councillors.</p>	<p>Anti-Discrimination Commission receives and investigates complaints and conducts conciliations. Anti-Discrimination Tribunal conducts hearings.</p>
<p>SA <i>Equal Opportunity Act 1984</i></p>	<p>Sex, sexuality (includes heterosexuality homosexuality, transsexuality and bisexuality), marital status, pregnancy, race, impairment, age.</p>	<p>Victimisation, sexual harassment, aiding unlawful acts, discriminatory advertising.</p>	<p><i>Work and related areas:</i> Job applicants, employees, agents, contract workers, partnerships, associations, trade unions, employer bodies, qualifying bodies. <i>Other areas:</i> Educational authority, disposition of land, provisions of goods and services, accommodation, superannuation.</p>	<p>Commissioner for Equal Opportunity receives and investigates complaints and conducts conciliations. Equal Opportunity Tribunal conducts hearings.</p>

<p>Tas <i>Anti-Discrimination Act 1998</i></p>	<p>Race, age, sexual orientation, lawful sexual activity, gender, marital status, pregnancy, breastfeeding, parental status, family responsibilities, disability, industrial activity, political belief or affiliation, political activity, religious belief or affiliation, religious activity, irrelevant criminal record, irrelevant medical record, association with person who has or is believed to have any of the above attributes.</p>	<p>Harassment based on an attribute, sexual harassment, victimisation, inciting hatred, promoting discrimination and prohibited conduct, aiding a contravention of the Act.</p>	<p>Employment, education and training, provisions of facilities, goods and services, accommodation, membership and activities of clubs, administration of a law of the State and State programs, awards, enterprise agreements and industrial agreements.</p>	<p>Anti-Discrimination Commissioner receives and investigates complaints and conducts conciliations. Anti-Discrimination Tribunal conducts hearings.</p>
<p>Vic <i>Equal Opportunity Act 1995</i></p>	<p>Age, impairment, industrial activity, lawful sexual activity, marital status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, status as a parent or carer, breastfeeding, personal association (whether as relative or otherwise) with a person who has an attribute.</p>	<p>Authorising or assisting discrimination, discriminatory requests for information, sexual harassment.</p>	<p><i>Employment and related areas:</i> job applicants, employees, contract workers, partnerships, industrial organisations, qualifying bodies. <i>Other areas:</i> Education, goods and services, disposal of land, accommodation, clubs, sport and local government councillors.</p>	<p>Equal Opportunity Commission receives and investigates complaints and conducts conciliations. Anti-Discrimination Tribunal conducts hearings.</p>

<p>WA <i>Equal Opportunity Act 1984</i></p>	<p>Sex, marital status, pregnancy, family responsibilities, family status, race, religious or political conviction, impairment, age.</p>	<p>Sexual harassment, victimisation, discriminatory advertisements.</p>	<p><i>Work and related areas:</i> applicants and employees, commission agents, contract workers, partnerships, professional or trade organisations, qualifying bodies, employment agencies.</p> <p><i>Other areas:</i> Education, access to places and vehicles, goods, services and facilities, accommodation, land, clubs, application forms (note, not all grounds apply to all areas, eg, family responsibilities and family status only apply to work and related areas and education).</p>	<p>Commissioner for Equal Opportunity receives and investigates complaints and conducts conciliations; Equal Opportunity Tribunal conducts hearings.</p>
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