

## CLAUSE NOTES

### *Anti-Discrimination Amendment Bill 2015*

**Clause 1: Short title**

This clause provides that the Bill will be cited as the Anti-Discrimination Amendment Act 2015

**Clause 2: Commencement**

This clause provides for the Bill to commence on the day on which it receives the Royal Assent.

**Clause 3: Principal Act**

This clause provides that the Principal Act to which the amendments apply is the *Anti-Discrimination Act 1998* (the Act).

**Clause 4: Section 51A inserted**

This is the key clause of the Bill. It inserts a new provision into the Act to provide a new exception to the prohibition on discrimination.

The new exception relates to the admission of students to religious-based educational institutions. The wording of the proposed new exception is consistent with the exception in relation to employees in section 51(2).

The amendment allows religious-based schools to give preference in admission to students who have the same religious beliefs as the school to which they are seeking admission.

The amendments only relate to the admission of students to the school and will not affect the ongoing enrolment of existing students once they have been admitted to the school.

In addition, the amendment only permits discrimination on the grounds of religious beliefs, affiliations or activities. It will not allow discrimination against a student or potential student on the grounds of other attributes such as race, disability, political affiliation, sexual orientation, relationship status, gender identity and the like as set out in section 16 of the Act.

**Clause 5: Sections 55A and 55B repealed**

This clause rescinds sections 55A and 55B of the Act.

The introduction of the proposed new exception means that the exemption provisions set out in sections 55A and 55B are no longer necessary.

**Clause 6: Repeal of Act**

This is a standard repeal provision to remove the empty shell of the Bill i.e., the Bill is repealed after the changes have been incorporated into the principal Act.