

## **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

### Overview of Bill

The object of this Bill is to provide that damages awarded to a person under the *Anti-Discrimination Act 1977* as compensation for loss or damage suffered by reason of conduct of certain public sector agencies while the person was an offender in custody (or for failure to comply with orders made in connection with any such conduct) are not to be paid to the person and instead are to be paid into the Victims Compensation Fund to be used for the purposes of that Fund. Payment into the Victims Compensation Fund discharges a public sector agency's liability to pay the damages concerned.

The Bill extends to awards of compensation made on or after 29 May 2007, which is the date on which notice of motion for the introduction of this Bill was given in Parliament.

### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Anti-Discrimination Act 1977* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

### **Schedule 1 Amendments**

**Schedule 1 [1]** inserts section 111A into the *Anti-Discrimination Act 1977* to make provision as referred to in the Overview.

**Schedule 1 [2]** enables regulations of a savings and transitional nature to be made as a consequence of the proposed Act.

**Schedule 1 [3]** provides that the proposed new section extends to pending proceedings and to compensation ordered to be paid on or after 29 May 2007 (unless the compensation has been paid pursuant to the compensation order before the commencement of the new section).