

Community Relations Commission and Principles of Multiculturalism Amendment Bill 2010

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Community Relations Commission and Principles of Multiculturalism Act 2000* (**the principal Act**) to incorporate certain recommendations arising from the statutory review of the principal Act. In particular, this Bill:

- (a) restates the principles of multiculturalism and includes the principle that all individuals should demonstrate a unified commitment to Australia, its interests and future and should recognise the importance of shared values governed by the rule of law within a democratic framework, and
- (b) clarifies the objectives of the Community Relations Commission (**the Commission**) and includes the objective of promoting the principles of multiculturalism, and
- (c) expands the functions of the Commission to include researching matters related to the objectives of the Commission and the facilitation of consistency across Government agencies on issues associated with cultural diversity, and
- (d) extends the time within which the Commission's annual report on the state of community relations is to be made.

This Bill also:

- (a) authorises the appointment of an acting Chairperson during any absence of the Chairperson of the Commission, and
- (b) changes the audit and financial reporting obligations of the Commission.

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, other than Schedule 2.4, on the date of assent to the proposed Act. Schedule 2.4 commences, or is taken to have commenced, on 30 June 2010.

Schedule 1 Amendment of Community Relations Commission and Principles of Multiculturalism Act 2000 No 77

Schedule 1 [1] amends section 3 of the principal Act to restate the principles of multiculturalism and to include the following additional principle:

All individuals in New South Wales, irrespective of their linguistic, religious, racial and ethnic backgrounds, should demonstrate a unified commitment to Australia, its interests and future and should recognize the importance of shared values governed by the rule of law within a democratic framework.

Schedule 1 [2]–[4] amend section 12 of the principal Act to recast certain objectives of the Commission to clarify the Commission's focus.

Schedule 1 [5]–[8] amend section 13 of the principal Act to provide that the functions of the Commission include researching matters relating to the Commission's objectives, providing a single coordination point for integrated responses to emerging issues associated with cultural diversity, facilitating consistency across authorities on issues associated with cultural diversity and the referral of certain matters to the Anti-Discrimination Board.

Schedule 1 [9] amends section 14 of the principal Act to extend, from March to April, the time within which the Commission is to provide its annual report on the state of community relations in New South Wales.

Schedule 1 [10] amends the note to section 18 of the principal Act as a consequence of the amendments to the *Public Finance and Audit Act 1983* made by **Schedule 2.4**.

Schedule 1 [11]–[13] amend Schedule 1 to the principal Act to provide for the appointment of an acting Chairperson during any absence of the Chairperson of the Commission.

Schedule 1 [14] amends clause 4 of Schedule 2 to the principal Act to provide that the Deputy Chairperson of the Commission is to preside at a meeting of the Commission in the absence of the Chairperson.

Schedule 2 Amendment of other Acts

Schedule 2.1 amends the *Anti-Discrimination Act 1977* to provide that the Anti-Discrimination Board may carry out investigations in relation to matters referred to it by the Commission.

Schedule 2.2 amends the *Health Records and Information Privacy Act 2002* to provide that the Health Privacy Principles do not apply to information that is collected or held by the Commission only for the purpose of providing translation services.

Schedule 2.3 makes a similar amendment to the *Privacy and Personal Information Protection Act 1998*.

Schedule 2.4 amends the *Public Finance and Audit Act 1983* to provide that the auditing and financial reporting requirements of the Commission are to change from those of a Department to those of a statutory body.