

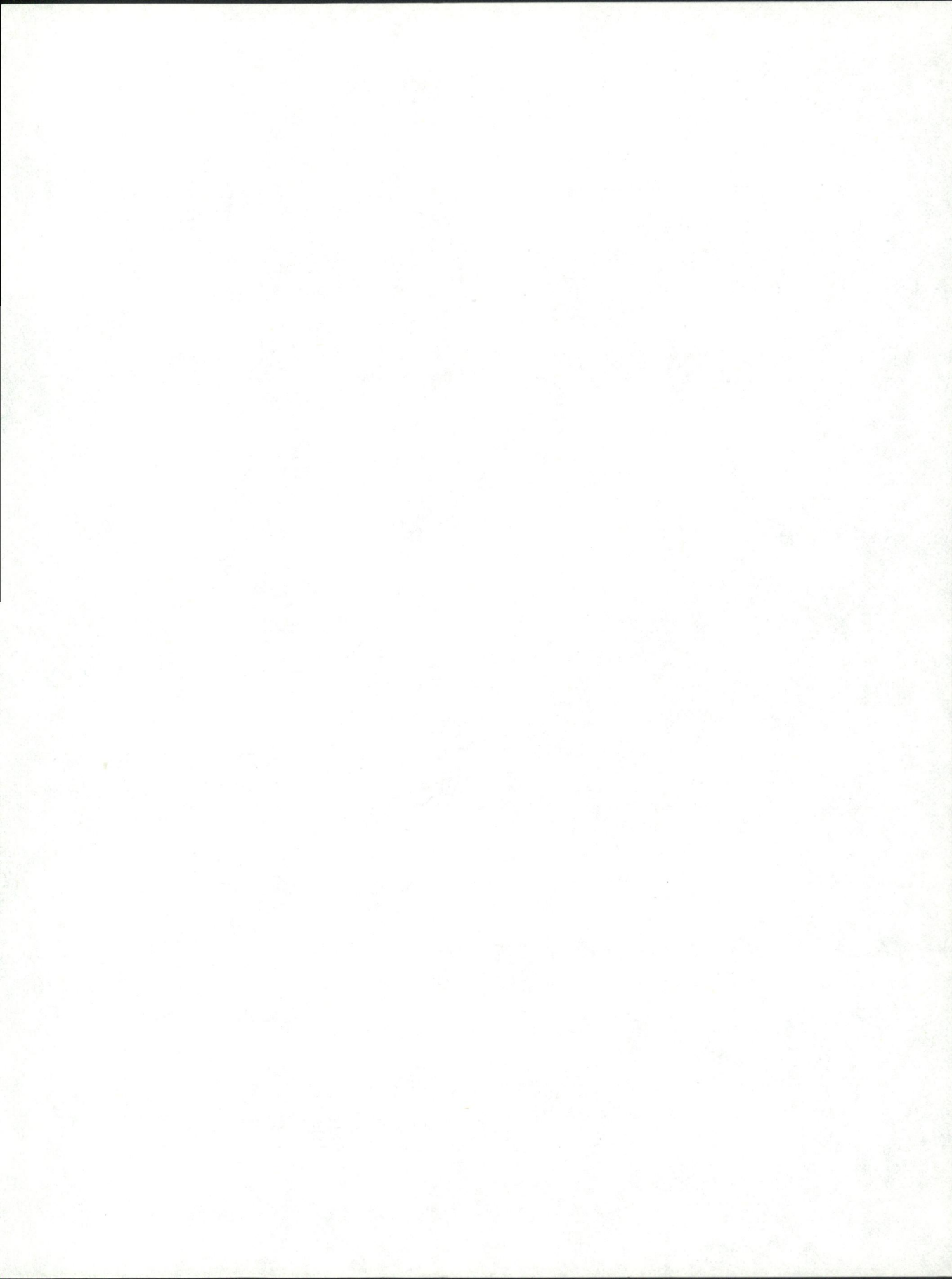
**ANTI-DISCRIMINATION (EDUCATION COMMISSION)
AMENDMENT BILL, 1980**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Anti-Discrimination (Amendment) Bill, 1980.

The object of this Bill is to enable the application of Part IXA of the Anti-Discrimination Act, 1977, as amended by the proposed Anti-Discrimination (Amendment) Act, 1980, to the Education Teaching Service and the Technical and Further Education Teaching Service referred to in the proposed Education Commission Act, 1980.



**ANTI-DISCRIMINATION (EDUCATION COMMISSION)
AMENDMENT BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Anti-Discrimination Act, 1977, to apply the provisions of Part IXA of that Act to the Teaching Services within the meaning of the Education Commission Act, 1980.

[MR WRAN—19 *March*, 1980.]

Anti-Discrimination (Education Commission) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the “Anti-Discrimination (Education Commission) Amendment Act, 1980”. Short title.

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

 (2) Section 3 shall commence on—

10 (a) the date of assent to the Anti-Discrimination (Amendment) Act, 1980; or

 (b) the day appointed and notified under section 2 (2) of the Education Commission Act, 1980,

whichever is the later.

15 **3.** The Anti-Discrimination Act, 1977, is amended—

Amendment
of Act No.
48, 1977.

 (a) by omitting from section 122B (1) (a) the words “the Teaching Service within the meaning of the Teaching Service Act, 1970,” and by inserting instead the words “the Education Teaching Service within the meaning of the Education Commission Act, 1980, and, in relation to the Department of Technical and Further Education, the Technical and Further Education Teaching Service within the meaning of the Education Commission Act, 1980,”;

Sec. 122B.
(Application
of Pt. IXA—
authorities.)

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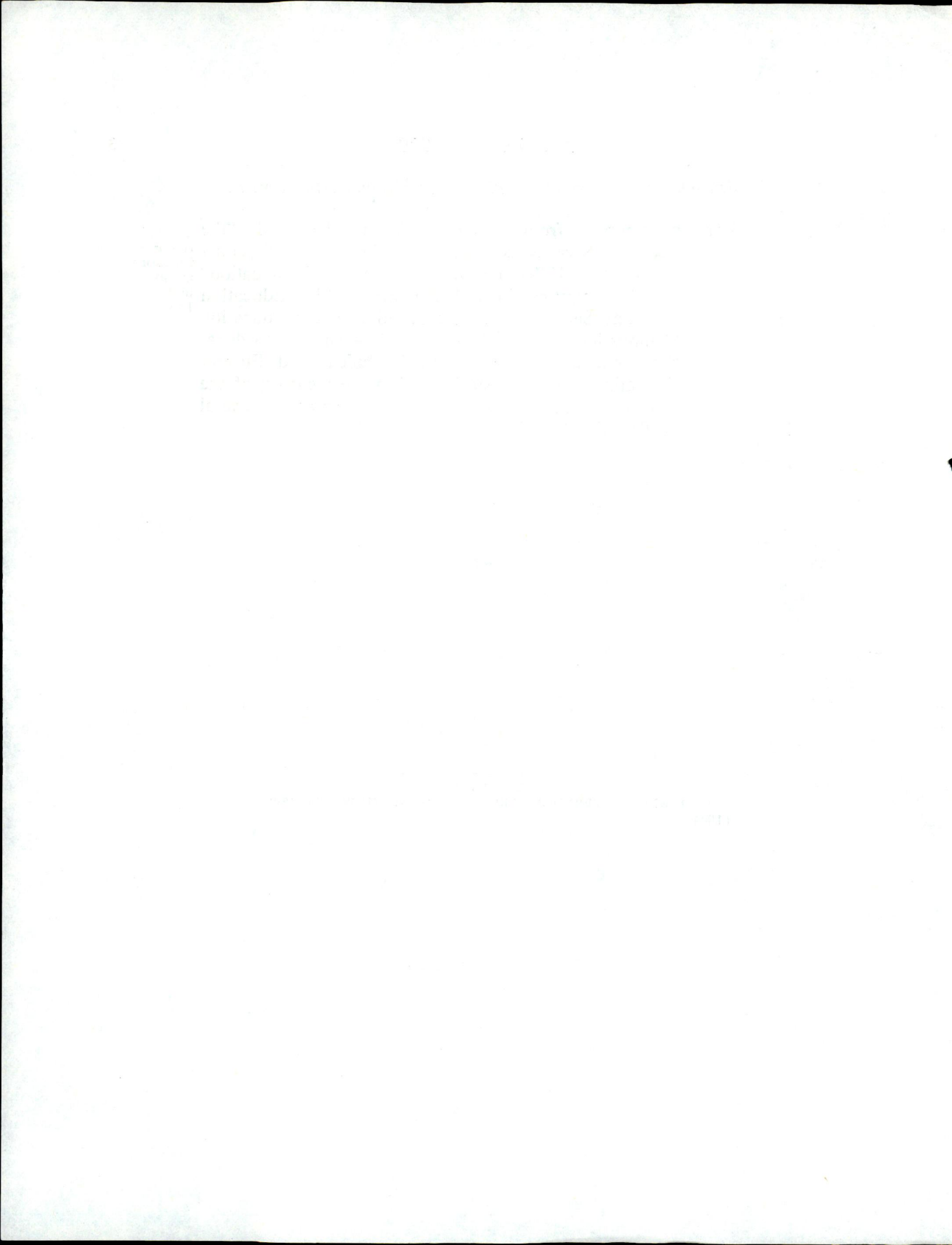
Anti-Discrimination (Education Commission) Amendment.

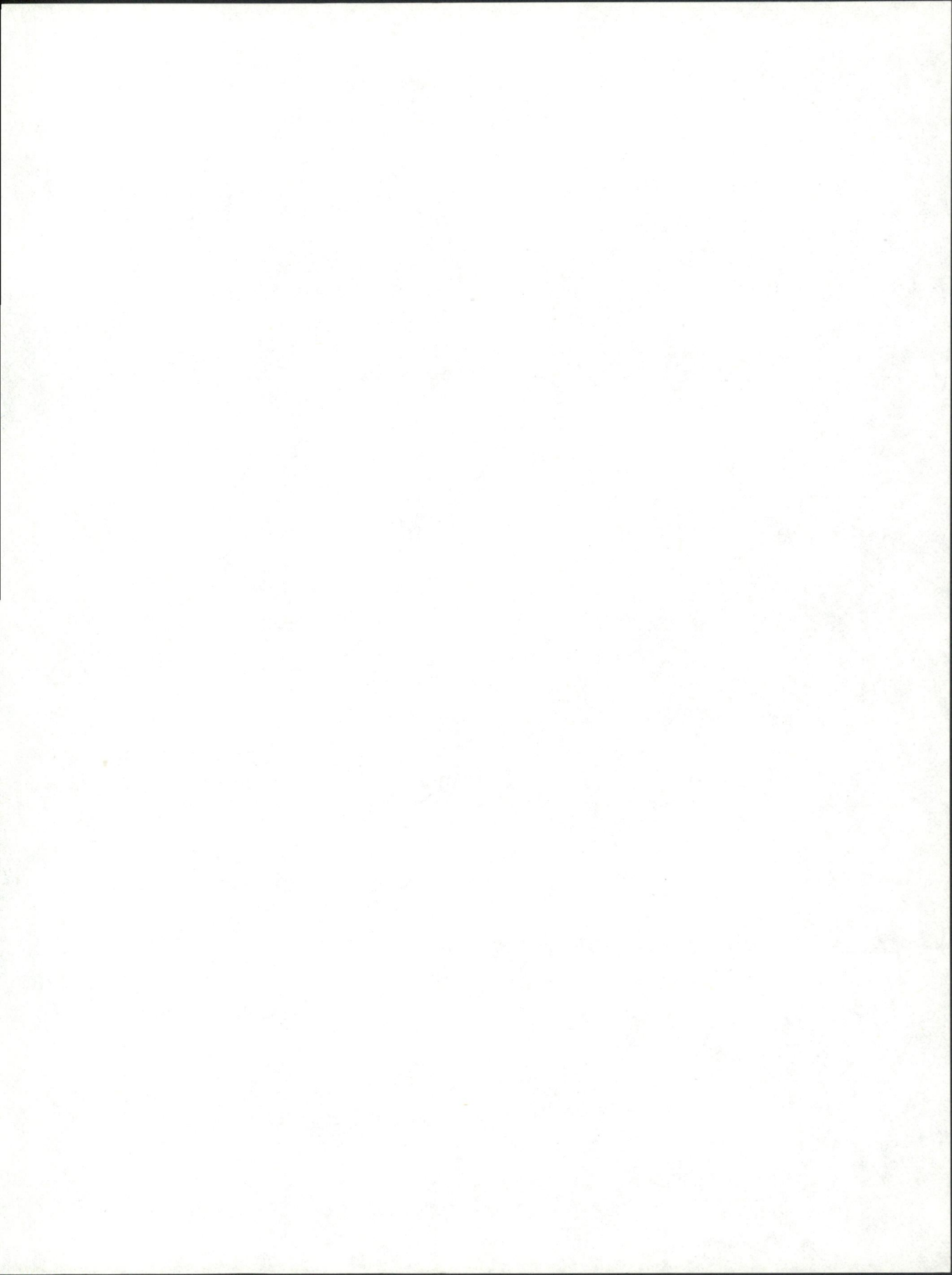
- 5 (b) by omitting from section 122D (a) the words “the Teaching Service within the meaning of the Teaching Service Act, 1970, the Director-General of Education” and by inserting instead the words “the Education Teaching Service within the meaning of the Education Commission Act, 1980, the Director-General of Education and, in relation to the Technical and Further Education Teaching Service within the meaning of the Education Commission Act, 1980, the Director-General of Technical and Further Education”.
- 10
- Sec. 122D.
(Exercise of functions of authorities under Pt. IXA.)

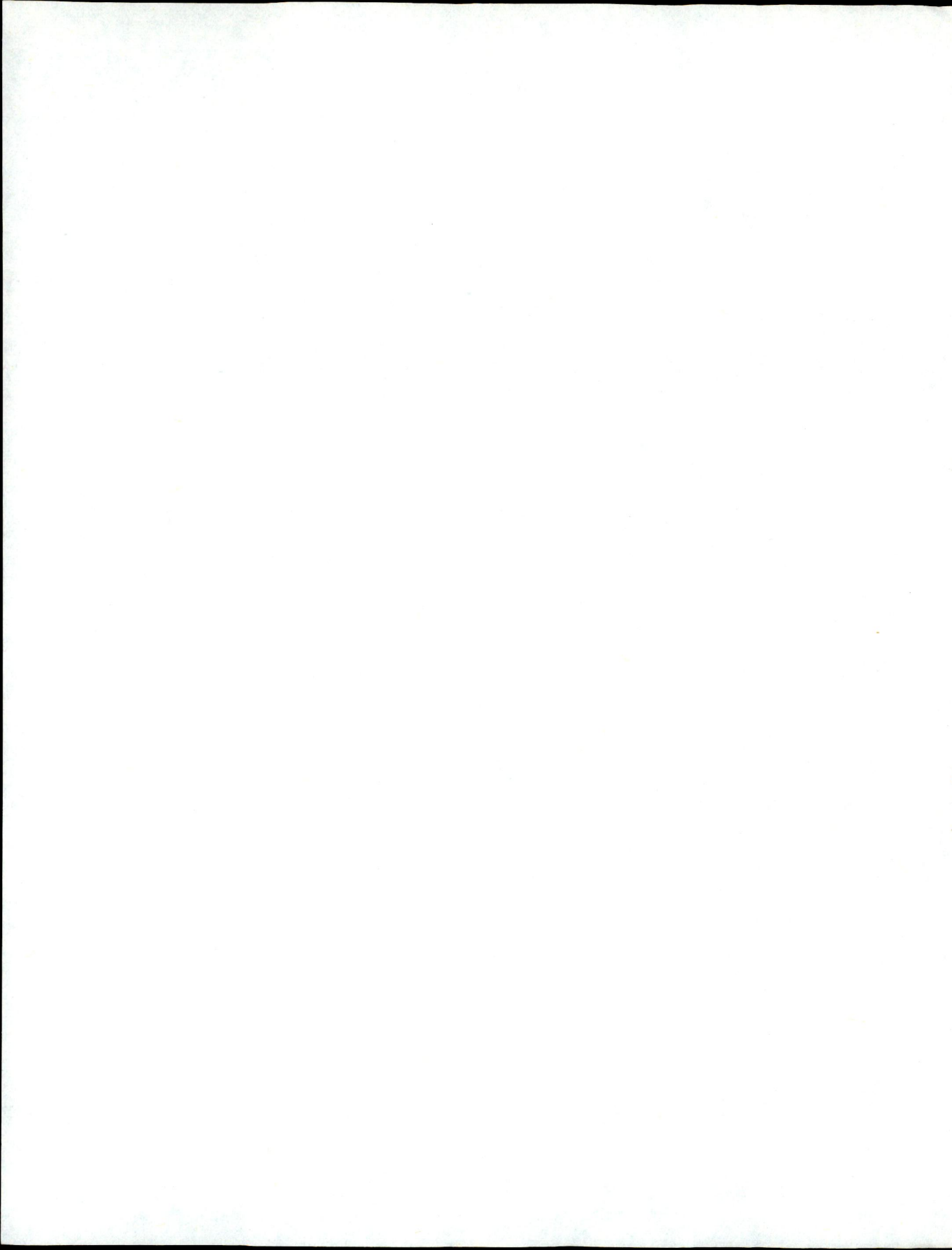
BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)







**ANTI-DISCRIMINATION (EDUCATION
COMMISSION) AMENDMENT ACT,
1980, No. 70**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 70, 1980.

An Act to amend the Anti-Discrimination Act, 1977, to apply the provisions of Part IXA of that Act to the Teaching Services within the meaning of the Education Commission Act, 1980. [Assented to, 28th April, 1980.]

Anti-Discrimination (Education Commission) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short
title.

1. This Act may be cited as the "Anti-Discrimination (Education Commission) Amendment Act, 1980".

Commence-
ment.

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on—

- (a) the date of assent to the Anti-Discrimination (Amendment) Act, 1980; or
- (b) the day appointed and notified under section 2 (2) of the Education Commission Act, 1980,

whichever is the later.

Amendment
of Act No.
48, 1977.

Sec. 122B.
(Application
of Pt. IXA—
authorities.)

3. The Anti-Discrimination Act, 1977, is amended—

- (a) by omitting from section 122B (1) (a) the words "the Teaching Service within the meaning of the Teaching Service Act, 1970," and by inserting instead the words "the Education Teaching Service within the meaning of the Education Commission Act, 1980, and, in relation to the Department of Technical and Further Education, the Technical and Further Education Teaching Service within the meaning of the Education Commission Act, 1980,";

Anti-Discrimination (Education Commission) Amendment.

- (b) by omitting from section 122D (a) the words “the Teaching Service within the meaning of the Teaching Service Act, 1970, the Director-General of Education” and by inserting instead the words “the Education Teaching Service within the meaning of the Education Commission Act, 1980, the Director-General of Education and, in relation to the Technical and Further Education Teaching Service within the meaning of the Education Commission Act, 1980, the Director-General of Technical and Further Education”.

Sec. 122D.
(Exercise of
functions of
authorities
under Pt.
IXA.)

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 28th April, 1980.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980



ANTI-DISCRIMINATION (AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The following Bills are cognate with this Bill:—

Defamation (Anti-Discrimination) Amendment Bill, 1980;

Statutory and Other Offices Remuneration (Anti-Discrimination) Amendment Bill, 1980;

Anti-Discrimination (Education Commission) Amendment Bill, 1980.

The objects of this Bill are—

- (a) to eliminate and ensure the absence of discrimination in public employment on the grounds of race, sex and marital status; and
- (b) to promote, in public employment, equal employment opportunity for women and members of racial minorities.

Clause 2 (c) of the Bill inserts a new Part, Part IXA, relating to equal opportunity in public employment, into the Anti-Discrimination Act, 1977.

Division 1 of the new Part, which relates to matters of a general nature, contains the following provisions:—

Proposed section 122A. Interpretation.

Proposed section 122B specifies the public employment authorities to which the Part applies.

Proposed section 122C specifies the objects of the Part.

Proposed section 122D specifies the persons, in relation to each authority, who shall exercise the functions of the authority under the Part.

Division 2 of the new Part, which relates to the Director of Equal Opportunity in Public Employment (“the Director”), contains the following provisions:—

Proposed section 122E creates the office of Director.

Proposed sections 122F-122H contain provisions relating to the office of Director.

Proposed section 122I specifies the functions of the Director which relate to advising and assisting authorities in the preparation of equal employment opportunity management plans ("management plans").

Division 3 of the new Part, which relates to management plans, contains the following provisions:—

Proposed section 122J requires authorities to prepare and implement management plans in order to achieve the objects of the Part and enumerates the matters to be contained in management plans.

Proposed section 122K provides that where there is any inconsistency between the provisions of a management plan and the provisions of the Anti-Discrimination Act, 1977, the provisions of the management plan shall prevail.

Proposed section 122L requires authorities to report annually to the Director as to the operation of their management plans.

Proposed sections 122M-122P enable the Director, where he is dissatisfied with certain matters relating to management plans, to refer those matters to the Anti-Discrimination Board ("the Board") and empower the Board to investigate and take certain action with respect to matters so referred to it.

Proposed section 122Q prevents the use, in legal proceedings, of certain incriminatory statements.

Proposed section 122R specifies the powers of the Board on the conclusion of an investigation into a matter referred to it by the Director.

Proposed section 122S enables the Minister to direct an authority to amend its management plan.

The Bill also makes other provisions of a minor nature.
