

Introduced by the Hon J M Samios MLC

First print



New South Wales

# **Charter of Principles for a Culturally Diverse Society Bill 1996**

## **Explanatory note**

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

### **Overview of Bill**

On 30 March 1993, in the Legislative Assembly, the then Premier and Minister for Ethnic Affairs declared that Cabinet had approved the New South Wales Charter of Principles for a Culturally Diverse Society. The object of this Bill is to confirm the standing of the Charter as official State policy and to make further provision for the implementation of its principles.

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## Outline of provisions

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

**Clause 2** provides that the proposed Act will commence on assent.

**Clause 3** defines certain words and expressions used in the proposed Act.

**Clause 4** sets out the object of the proposed Act.

**Clause 5** declares the principles of the Charter to be the policy of the State and requires government instrumentalities to conduct their affairs in conformity with those principles. It requires Department Heads and Chief Executives to develop and implement strategies to give effect to the proposed section.

**Clause 6** requires the annual report of a Department or statutory body to include a report on measures taken toward the implementation of the principles of the Charter.

**Clause 7** states that the Charter is not a legal document and is not a basis for legal action.

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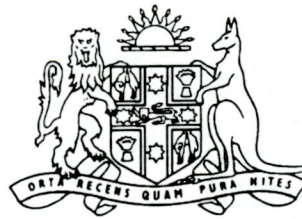
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New South Wales

# Charter of Principles for a Culturally Diverse Society Bill 1996

No. , 1996

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## **A Bill for**

An Act to secure the implementation of the New South Wales Charter of Principles for a Culturally Diverse Society.

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Charter of Principles for a Culturally Diverse Society Act 1996*.

**2 Commencement**

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This Act commences on the date of assent.

**3 Definitions**

In this Act:

**Charter** means the New South Wales Charter of Principles for a Culturally Diverse Society, approval of which on behalf of the Government of New South Wales was declared by the Minister for Ethnic Affairs in the Legislative Assembly on 30 March 1993, and which is set out in Schedule 1. 10

**Chief Executive** means the general manager or other chief executive officer of a statutory body. 15

**Department** means a person, group of persons or body specified in Column 1 of Schedule 3 to the *Public Finance and Audit Act 1983*.

**Department Head** means the person holding the position specified in Column 2 of Schedule 3 to the *Public Finance and Audit Act 1983* in relation to a Department named or described in Column 1 of that Schedule. 20

**statutory body** has the same meaning as in the *Annual Reports (Statutory Bodies) Act 1984*.

**4 Object of Act**

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The object of this Act is to recognise the cultural and linguistic diversity of the people of New South Wales as a valuable national resource, and to maximise it by implementation of a charter of basic principles that will guide the activities of government and government institutions. 30

**5 Implementation of principles of the Charter**

- (1) The principles of the Charter are the policy of the State.

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- (2) Every Department and statutory body must conduct its affairs in a manner consistent with, and conducive to the furtherance of, the principles of the Charter.
- (3) It is the duty of every Department Head and Chief Executive to develop and implement a strategy to give effect to the provisions of this section within the area of his or her administration. 5

**6 Annual reports**

The annual report to Parliament made in relation to a Department or statutory body must include a report on measures taken within the Department or body to implement the principles of the Charter. 10

**7 Charter not a basis for legal action**

The Charter is a policy document, not a legal document. Nothing in this Act or the principles of the Charter gives rise to, or can be taken into account in, any civil cause of action. 15

## Schedule 1 The Charter

(Section 3)

### **New South Wales Charter of Principles for a Culturally Diverse Society**

#### **Preamble** 5

The Government of New South Wales (NSW) regards the cultural and linguistic diversity of the State's population as a valuable national resource which enhances all aspects of life.

In order to maximise this resource, the Government will adopt a Charter of basic principles to guide all Government activity. 10  
These principles will apply to all aspects of the social, cultural, political, legal and economic life of NSW on which public institutions impact.

Pursuant to the Government's commitment, all NSW institutions will be required to diversify their policies and activities in order to realise the full potential of the population. 15

#### **Principles for a Culturally Diverse Society**

- 1 All individuals in NSW should have the greatest possible opportunity to contribute to, and participate in, all levels of public life. 20
- 2 All individuals and public institutions should respect and accommodate the culture, language and religion of others within an Australian legal and institutional framework where English is the primary language.
- 3 All individuals should have the greatest possible opportunity to make use of and participate in relevant activities and programs provided and/or administered by NSW government institutions. 25
- 4 All NSW public institutions should recognise the linguistic and cultural assets in the NSW population as a valuable resource and utilise and promote this resource to maximise the development of the State. 30



### **Application**

This Charter will be reflected in all Government policies, activities, and in its dealings with the non-government sector. It will inform and influence all public institutions. It will establish objectives for the NSW public sector. Public sector managers will demonstrate commitment to the Principles of this Charter.

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Within this framework, the Minister for Ethnic Affairs will be the principal reference point for all Ministers and the Ethnic Affairs Commission of New South Wales will be the principal reference point for all departments, instrumentalities, institutions and agents on issues related to this Charter.

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Sydney, February 1993

