Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008

(Amendments to be moved by Senator Siewert on behalf of the Australian Greens in committee of the whole)

(1) Schedule 1, item 10, page 9 (line 17) to page 10 (line 2), clause 13 TO BE OPPOSED.

[application of Northern Territory laws]

(2) Page 19 (after line 8), at the end of the bill, add:

Schedule 5—Application of National Emergency Response Laws

Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007

1 Section 4
Repeal the section, substitute:

4 Racial Discrimination Act

(1) Without limiting the general operation of the Racial Discrimination Act 1975 in relation to the following Acts:
   (a) Aboriginal Land Rights (Northern Territory) Act 1976;
   (b) Australian Crime Commission Act 2002;
   (c) Australian Federal Police Act 1979;
   (d) Classification (Publications, Films and Computer Games) Act 1995;
the provisions of the *Racial Discrimination Act 1975* are intended to prevail over the provisions of this Act.

(2) The provisions of this Act do not authorise conduct that is inconsistent with the provisions of the *Racial Discrimination Act 1975*.

(3) The provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, intended to qualify as special measures.

(4) Any act done, any decision made and any discretion exercised under or for the purposes of this Act must be consistent with the intended beneficial purpose of this Act.

(5) In this section, a reference to any act done includes a reference to any failure to do an act.

2 Section 5

Repeal the section.

*Northern Territory National Emergency Response Act 2007*

3 Section 132

Repeal the section, substitute:

132 *Racial Discrimination Act*

(1) The provisions of the *Racial Discrimination Act 1975* are intended to prevail over the provisions of this Act.

(2) The provisions of this Act do not authorise conduct that is inconsistent with the provisions of the *Racial Discrimination Act 1975*.

(3) The provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the *Racial Discrimination Act 1975*, intended to qualify as special measures.

(4) Any act done, any decision made and any discretion exercised under or for the purposes of this Act must be consistent with the intended beneficial purpose of this Act.

(5) In this section, a reference to any act done includes a reference to any failure to do an act.

4 Section 133

Repeal the section.

*Social Security and Other Legislation Amendment (Welfare Payment Reform) Act 2007*

5 Section 4

Repeal the section, substitute:

4 *Racial Discrimination Act*

(1) Without limiting the general operation of the *Racial Discrimination Act 1975* in relation the *Social Security (Administration) Act 1999*, the provisions of the *Racial
Discrimination Act 1975 are intended to prevail over the provisions of this Act and the provisions of the Social Security (Administration) Act 1999.

(2) The provisions of this Act do not authorise conduct that is inconsistent with the provisions of the Racial Discrimination Act 1975.

(3) The provisions of this Act, and any acts done under or for the purposes of those provisions, are, for the purposes of the Racial Discrimination Act 1975, intended to qualify as special measures.

(4) Any act done, any decision made and any discretion exercised under or for the purposes of this Act must be consistent with the intended beneficial purpose of this Act.

(5) In this section, a reference to any act done includes a reference to any failure to do an act.

6 Sections 5, 6 and 7
Repeal the sections.

[application of national emergency response laws]