The Parliament of the
Commonwealth of Australia

THE SENATE

Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013

(Government)

(1) Schedule 1, page 3 (after line 14), after item 3, insert:

3A Subsection 4(1)
Insert:

Commonwealth-funded aged care means:
(a) aged care, within the meaning of the Aged Care Act 1997:
   (i) that is provided by an approved provider, within the meaning of that Act; and
   (ii) in relation to which the approved provider has responsibilities under that Act;
   or
(b) care or services in relation to which a grant has been paid under Chapter 5 of the
   Aged Care Act 1997; or
(c) care or services of a class prescribed by the regulations for the purpose of this
   paragraph.

[Commonwealth-funded aged care]

(2) Schedule 1, page 9 (after line 20), after item 39, insert:

39A After subsection 23(3)
Insert:

(3A) Paragraph (3)(b) does not apply to accommodation provided by a religious body in
connection with the provision, by the body, of Commonwealth-funded aged care.

[Commonwealth-funded aged care]

(3) Schedule 1, page 10 (after line 23), after item 49, insert:
49A  Section 37
Before “Nothing”, insert “(1)”.

49B  At the end of section 37
Add:

(2) Paragraph (1)(d) does not apply to an act or practice of a body established for religious
purposes if:
   (a) the act or practice is connected with the provision, by the body, of
       Commonwealth-funded aged care; and
   (b) the act or practice is not connected with the employment of persons to provide that
       aged care.

[Commonwealth-funded aged care]

(4) Schedule 1, page 13 (after line 1), after the heading to Part 2 of Schedule 1, insert:

Division 1—Amendments of references to marital status
[updating terminology]

(5) Schedule 1, Part 2, page 13 (after line 6), at the end of the Part, add:

Division 2—Amendments of references to sexual preference

Broadcasting Services Act 1992

63A  Paragraph 123(3)(e)
Omit “sexual preference”, substitute “sexual orientation”.

63B  Paragraph 28(3)(e) of Schedule 6
Omit “sexual preference”, substitute “sexual orientation”.

Fair Work Act 2009

63C  Subsection 153(1)
Omit “sexual preference”, substitute “sexual orientation”.

63D  Subsection 195(1)
Omit “sexual preference”, substitute “sexual orientation”.

63E  Subsection 351(1)
Omit “sexual preference”, substitute “sexual orientation”.

63F  Paragraph 578(c)
Omit “sexual preference”, substitute “sexual orientation”.

63G  Paragraph 772(1)(f)
Omit “sexual preference”, substitute “sexual orientation”.
Fair Work (Registered Organisations) Act 2009

63H Paragraph 142(1)(d)

Omit “sexual preference”, substitute “sexual orientation”.

[updating terminology]