Fair Work Amendment Bill 2013

(Amendments to be moved by Mr Bandt)

(1) Clause 2, page 2 (after table item 5), insert:

5A. Schedule 2A The day after this Act receives the Royal Assent.

[commencement]

(2) Page 15 (after line 11), after Schedule 2, insert:

Schedule 2A—Family violence

Fair Work Act 2009

1 Section 12

Insert:

experience of family violence includes:
(a) a current or past experience of family violence; or
(b) the experience of providing care or support to a member of a person’s immediate family or household who is experiencing family violence; or
(c) an experience of family violence imputed to a person.

2 Section 12

Insert:

family violence: see section 17AA.

3 After section 17

Insert:
17AA Meaning of family violence

(1) Family violence is violent, threatening or other behaviour by a person that coerces or controls a family member, or causes the family member to be fearful.

(2) Examples of behaviour that may constitute family violence include (but are not limited to) the following:
   (a) physical assault;
   (b) a sexual assault or other sexually abusive behaviour;
   (c) economic abuse;
   (d) emotional or psychological abuse;
   (e) stalking;
   (f) kidnapping or deprivation of liberty;
   (g) damage to property (whether or not the victim owns the property);
   (h) causing injury or death to an animal (whether or not the animal belongs to the victim);
   (i) behaviour that exposes a child to behaviour of the kind described above.

4 Section 351

Omit “or social origin”, substitute “, social origin or experience of family violence”.

5 After paragraph 772(1)(h)

Insert:
   ; (i) experience of family violence.

[family violence]