Date introduced: 9 October 1985
House: House of Representatives
Presented by: Hon. Lionel Bowen, M.P., Attorney-General

DIGEST OF BILL

Purpose

To make the transitional provisions and consequential amendments necessitated by the abolition of the Human Rights Commission ("the former Commission") and the creation of the proposed Human Rights and Equal Opportunity Commission ("the Commission") by the Human Rights and Equal Opportunity Commission Bill 1984.

Background

A similar Bill of the same name was introduced in the Senate in September 1984 but proceeded no further. For further information refer to the Digest for the Human Rights and Equal Opportunity Commission Bill 1985 (No. 85/211).

Main Provisions

A detailed analysis of the clauses of the Bill is contained in the Explanatory Memorandum.

Part II repeals the Human Rights Commission Act 1981 ("the Act") (clause 4) and saves any functions performed by, or complaints made to the former Commission which were not finalised before the commencement of the proposed Act (clause 5). Likewise, by clause 5, any inquiries etc. not completed will be taken over by the Commission. Inter-governmental arrangements made under the Act will continue in force (clause 6).
Consequential amendments and savings provisions relating to the Racial Discrimination Act 1975 and the Sex Discrimination Act 1984 are made in Parts III and IV, respectively. These are made necessary by the abolition of the former Commission and the creation of the Commission.

Clause 14 amends the Racial Discrimination Act by omitting from section 19 "Commissioner for Community Relations" (the former Commissioner) and substituting "Race Discrimination Commissioner". Functions commenced by the former Commissioner, and complaints made to him, but not finalised are saved by clause 32. Certificates issued by the former Commissioner or the former Commission under section 24(3) (required before an aggrieved person may initiate civil proceedings) are saved by clause 34.

Clause 46 saves functions commenced by and complaints made or referred to the former Commission under the Sex Discrimination Act before the commencement date of this legislation.

For further information, if required, contact the Law and Government Group.

15 November 1985

Bills Digest Service
LEGISLATIVE RESEARCH SERVICE

© Commonwealth of Australia 1985

Except to the extent of the uses permitted under the Copyright Act 1968, no part of this publication may be reproduced or transmitted in any form or by any means, including information storage and retrieval system, without the prior written consent of the Department of the Parliamentary Library. Reproduction is permitted by Members of the Parliament of the Commonwealth in the course of their official duties.