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.

Main Provisions

The Bill consists of three Parts. Part I contains formal provisions.

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:

3 October 1984

Law & Government Group
LEGISLATIVE RESEARCH SERVICE