THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

STRONGER FUTURES IN THE NORTHERN TERRITORY
(CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2011

FURTHER SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendment to be moved on behalf of the Government

(Circulated by the authority of the
Minister for Families, Community Services and Indigenous Affairs,
Minister for Disability Reform, the Hon Jenny Macklin MP)
Amendment to be moved on behalf of the Government

OUTLINE


The Government has made it clear in explanatory materials that the Racial Discrimination Act will apply to Part 10 of the *Classification (Publications, Films and Computer Games) Act 1995*, as amended by the Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011. This Part continues the prohibited material restrictions in certain remote communities in the Northern Territory. The amendment is proposed to make the Government’s commitment clear to Aboriginal people in the Northern Territory that nothing in the Part suspends or limits the application of the Racial Discrimination Act, including the right of a person to seek redress under the Racial Discrimination Act.

Financial impact statement

The financial impact of this amendment is nil.
NOTES ON AMENDMENT

Amendment 1 inserts into Schedule 3 new item 3A. This new item inserts into Part 10 of the Classification (Publications, Films and Computer Games) Act 1995 new clause 99A, entitled ‘The Racial Discrimination Act is not affected’ and providing that Part 10, as amended by the Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011, does not affect the operation of the Racial Discrimination Act.

The purpose of Part 10 is to allow special measures to be taken to protect children living in Aboriginal communities in the Northern Territory from being exposed to material that is, or would likely be, Refused classification or classified X18+. The amendment provides further assurance to Aboriginal people in the Northern Territory about the application of the Racial Discrimination Act. Such a provision is not needed for the other parts of the Classification (Publications, Films and Computer Games) Act 1995 as they are not intended to operate as special measures.