THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

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

Schedule of the amendments made by the Senate

(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.

(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.

(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
the act or practice is not connected with the employment of persons to provide that 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

(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”.

ROSEMARY LAING
Clerk of the Senate

The Senate
24 June 2013