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F2019

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

EXPOSURE DRAFT (29 August 2019)
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**Religious Discrimination (Consequential
Amendments) Bill 2019**

No. , 2019

(Attorney-General)

**A Bill for an Act to deal with consequential matters
arising from the enactment of the *Religious
Discrimination Act 2019*, and for related purposes**

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**A Bill for an Act to deal with consequential matters
arising from the enactment of the *Religious
Discrimination Act 2019*, and for related purposes**

The Parliament of Australia enacts:

1 Short title

This Act is the *Religious Discrimination (Consequential
Amendments) Act 2019*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

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Schedule 1 Amendments consequential on the enactment of the Religious Discrimination Act 2019

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	
2. Schedule 1	At the same time as the <i>Religious Discrimination Act 2019</i> commences.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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Amendments consequential on the enactment of the Religious Discrimination Act 2019
Schedule 1

**Schedule 1—Amendments consequential on
the enactment of the Religious
Discrimination Act 2019**

Australian Human Rights Commission Act 1986

1 Subsection 3(1)

Insert:

Freedom of Religion Commissioner means the Freedom of Religion
Commissioner appointed under the *Religious Discrimination Act*
2019.

**2 Subsection 3(1) (after paragraph (b) of the definition of
unlawful discrimination)**

Insert:

(ba) Part 3 of the *Religious Discrimination Act 2019*; or

**3 Subsection 3(1) (after paragraph (e) of the definition of
unlawful discrimination)**

Insert:

(ea) Part 5 of the *Religious Discrimination Act 2019*; or

4 At the end of subsection 8(1)

Add:

; and (h) the Freedom of Religion Commissioner.

5 Subsection 8(7)

Omit “or National Children’s Commissioner”, substitute “, National Children’s
Commissioner or Freedom of Religion Commissioner”.

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Schedule 1 Amendments consequential on the enactment of the Religious Discrimination Act 2019

6 Paragraph 11(1)(a)

After “the *Racial Discrimination Act 1975*”, insert “, the *Religious Discrimination Act 2019*”.

7 Subsection 11(3)

Omit “or the *Age Discrimination Act 2004*”, substitute “the *Age Discrimination Act 2004* or the *Religious Discrimination Act 2019*”.

8 Subsection 14(8)

Omit “or the *Age Discrimination Act 2004*”, substitute “the *Age Discrimination Act 2004* or the *Religious Discrimination Act 2019*”.

9 Subsection 16(2A)

Omit “and the *Age Discrimination Act 2004*”, substitute “, the *Age Discrimination Act 2004* and the *Religious Discrimination Act 2019*”.

10 Subsection 19(6)

Omit “or the *Age Discrimination Act 2004*”, substitute “the *Age Discrimination Act 2004* or the *Religious Discrimination Act 2019*”.

11 Subsection 46PF(3) (note)

After “sections 18A and 18E of the *Racial Discrimination Act 1975*”, insert “, sections 62 and 63 of the *Religious Discrimination Act 2019*”.

12 At the end of subsection 46PV(3)

Add:

; and (h) the Freedom of Religion Commissioner.

13 Subsection 46PW(7) (after paragraph (b) of the definition of *discriminatory act under an industrial instrument*)

Insert:

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Schedule 1

(ba) Part 3 of the *Religious Discrimination Act 2019*; or

Civil Aviation Act 1988

14 After subsection 98(6B)

Insert:

(6BA) The regulations may contain provisions that are inconsistent with the *Religious Discrimination Act 2019* if the inconsistency is necessary for the safety of air navigation.

15 Subsection 98(6C)

Omit “subsection (6A) or (6B)”, substitute “subsection (6A), (6B) or (6BA)”.

Fair Work Act 2009

16 Section 12

Insert:

Freedom of Religion Commissioner means the Freedom of Religion Commissioner appointed under the *Religious Discrimination Act 2019*.

17 After paragraph 161(2)(b)

Insert:

(ba) if the referral relates to action that would be unlawful under Part 3 of the *Religious Discrimination Act 2019*—the Freedom of Religion Commissioner;

18 After paragraph 218(2)(b)

Insert:

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Schedule 1 Amendments consequential on the enactment of the Religious Discrimination Act 2019

(ba) if the referral relates to action that would be unlawful under Part 3 of the *Religious Discrimination Act 2019*—the Freedom of Religion Commissioner;

19 After paragraph 351(3)(ac)

Insert:

(aca) the *Religious Discrimination Act 2019*;

Inspector-General of Intelligence and Security Act 1986

20 Subparagraph 8(1)(a)(v)

After “the *Racial Discrimination Act 1975*”, insert “, the *Religious Discrimination Act 2019*”.

21 Subparagraph 8(2)(a)(iv)

After “the *Racial Discrimination Act 1975*”, insert “, the *Religious Discrimination Act 2019*”.

22 Subparagraph 8(3)(b)(i)

After “the *Racial Discrimination Act 1975*”, insert “, the *Religious Discrimination Act 2019*”.

Sea Installations Act 1987

23 Schedule

Insert:

Religious Discrimination Act 2019