

House of Representatives

Supplementary Order Paper

Tuesday, 15 April 2014

Statutes Amendment Bill (No 4)

Proposed amendment

Louisa Wall, in Committee, to move the following amendment:

New Part 10A

After *Part 10* (after line 19 on page 14), insert:

Part 10A
Human Rights Act 1993

30A Principal Act

This Part amends the Human Rights Act 1993 (the **principal Act**).

30B Section 21 amended (Prohibited grounds of discrimination)

In section 21(1)(a), replace “pregnancy and childbirth” with “gender identity, pregnancy, and childbirth”.

Explanatory note

This Supplementary Order Paper would insert a *new Part 10A* into the Statutes Amendment Bill (No 4) amending section 21(1)(a) of the Human Rights Act 1993. The amendment to section 21(1)(a) clarifies that sex discrimination includes gender identity. This is in accordance with the opinion of the Acting Solicitor-General dated 2 August 2006 and the National report to the United Nations Human Rights Council Working Group Universal Periodic Review presented by the Minister of Justice on 27 January 2014 that stated in paragraph 66: “The Government’s view is that discrimination on the grounds of gender identity is already prohibited under the Human Rights Act as sex discrimination.”
