

2008

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Industrial Relations)

Parental Leave Legislation Amendment Bill 2008

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A Bill for

An Act to amend the *Discrimination Act 1991* to make it clear that parents in same-sex relationships cannot be discriminated against in relation to benefits associated with employment, and to repeal the *Parental Leave (Private Sector Employees) Act 1992*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Parental Leave Legislation Amendment Act 2008*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see Legislation Act, s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the *Discrimination Act 1991*.

9 *Note* This Act also repeals the *Parental Leave (Private Sector Employees)*
10 *Act 1992* (see s 5).

11 **4 Applicants and employees**
12 **New section 10 (3) and (4)**

13 *insert*

- 14 (3) To remove any doubt, an employer discriminates against an
15 employee if the employer denies the employee access to a benefit
16 associated with employment because the employee is in a same-sex
17 relationship.

18 **Example of discrimination**

19 denying an employee who is in a same-sex relationship access to parental leave
20 that is available to other parents

21 *Note* An example is part of the Act, is not exhaustive and may extend, but
22 does not limit, the meaning of the provision in which it appears (see
23 Legislation Act, s 126 and s 132).

- 24 (4) Subsection (3) is in addition to, and does not limit, any other
25 provision of this Act that provides what is, or is not, discrimination
26 under this Act.

1 **5 Repeal of Parental Leave (Private Sector Employees)**
2 **Act 1992**

3 The *Parental Leave (Private Sector Employees) Act 1992*
4 (A1992-59) is repealed.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2008.

2 Notification

Notified under the Legislation Act on 2008.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
