



Australian Human Rights Commission Regulations 1989

Statutory Rules No. 407, 1989 as amended

made under the

Australian Human Rights Commission Act 1986

Compilation start date: 1 August 2013

Includes amendments up to: SLI No. 196, 2013

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About this compilation

This compilation

This is a compilation of the *Australian Human Rights Commission Regulations 1989* as in force on 1 August 2013. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 30 August 2013.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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1 Name of Regulations

These Regulations are the *Australian Human Rights Commission Regulations 1989*.

2 Commencement

These Regulations commence on 1 January 1990.

3 Interpretation

In these Regulations, unless the contrary intention appears:

impairment means:

- (a) total or partial loss of a bodily function; or
- (b) the presence in the body of organisms causing disease; or
- (c) total or partial loss of a part of the body; or
- (d) malfunction of a part of the body; or
- (e) malformation or disfigurement of a part of the body.

marital or relationship status has the same meaning as in the *Sex Discrimination Act 1984*.

the Act means the *Australian Human Rights Commission Act 1986*.

4 Other distinctions, exclusions or preferences that constitute discrimination

For the purposes of subparagraph (b)(ii) of the definition of ***discrimination*** in subsection 3(1) of the Act, any distinction, exclusion or preference made:

- (a) on the ground of:
 - (i) age; or
 - (ii) medical record; or
 - (iii) criminal record; or
 - (iv) impairment; or

- (v) marital or relationship status; or
 - (vi) mental, intellectual or psychiatric disability; or
 - (vii) nationality; or
 - (viii) physical disability; or
 - (ix) sexual orientation; or
 - (x) trade union activity; or
 - (xi) one or more of the grounds specified in subparagraphs (iii) to (x) (inclusive) which existed but which has ceased to exist; or
- (b) on the basis of the imputation to a person of any ground specified in paragraph (a);
- is declared to constitute discrimination for the purposes of the Act.

5 Application of amendments made by the *Australian Human Rights Commission Amendment (Grounds of Discrimination) Regulation 2013*

The amendments of these Regulations made by the *Australian Human Rights Commission Amendment (Grounds of Discrimination) Regulation 2013* apply in relation to the performance by the Commission of its functions under Division 4 of Part II of the Act in relation to:

- (a) acts or practices engaged in wholly after the commencement of Schedule 1 to that regulation; and
- (b) acts or practices engaged in partly before and partly after that commencement.

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law, but the text of the amendments is included in endnote 5.

Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s)	
/sub-subparagraph(s)	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Number and year	FRLI registration or Gazettal	Commencement	Application, saving and transitional provisions
407, 1989	21 Dec 1989	1 Jan 1990	
185, 2009	3 Aug 2009 (<i>see</i> F2009L02973)	5 Aug 2009 (<i>see</i> r 2)	—
196, 2013	31 July 2013 (<i>see</i> F2013L01479)	1 Aug 2013 (<i>see</i> s 2)	—

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
r 1.....	rs No 185, 2009
r 3.....	am No 185, 2009; No 196, 2013
r 4.....	am No 196, 2013
r 5.....	ad No 196, 2013

Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]