



## **Sex Discrimination Amendment (Exemptions) Regulation 2016**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 15 September 2016

Peter Cosgrove  
Governor-General

By His Excellency's Command

George Brandis QC  
Attorney-General

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## 1 Name

This is the *Sex Discrimination Amendment (Exemptions) Regulation 2016*.

## 2 Commencement

- (1) Each provision of this instrument 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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	17 September 2016

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

This instrument is made under the *Sex Discrimination Act 1984*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Sex Discrimination Regulations 1984*

#### **1 Regulation 5**

Repeal the regulation, substitute:

#### **5 Exemption for things done in direct compliance with prescribed laws**

(1) For the purposes of subsection 40(2B) of the Act, the following laws are prescribed:

- (a) the *Human Reproductive Technology Act 1991* (WA);
- (b) the *Surrogacy Act 2008* (WA).

Note: Subsection 40(2B) provides for an exemption, in relation to anything done by a person in direct compliance with a prescribed law, from Divisions 1 and 2 of Part II (prohibition of discrimination) of the Act, as applying by reference to:

- (a) section 5A (sexual orientation); or
- (b) section 5B (gender identity); or
- (c) section 5C (intersex status).

(2) This regulation is repealed at the start of 1 August 2017.