



Sex Discrimination Regulations 1984

Statutory Rules No. 181, 1984 as amended

made under the

Sex Discrimination Act 1984

Compilation start date: 25 July 2014

Includes amendments up to: SLI No. 109, 2014

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About this compilation

This compilation

This is a compilation of the *Sex Discrimination Regulations 1984* as in force on 25 July 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 28 July 2014.

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 *Sex Discrimination Regulations 1984*.

2 Interpretation

In these Regulations, *the Act* means the *Sex Discrimination Act 1984*.

3 Combat duties

- (1) The following duties (in this regulation referred to as *combat duties*) are declared to be combat duties for the purposes of section 43 of the Act, namely, duties requiring a person to commit, or to participate directly in the commission of, an act of violence against an adversary in time of war.
- (3) In this regulation, *time of war* has the same meaning as in the *Defence Act 1903*.

4 Care or services that are Commonwealth-funded aged care

- (1) This regulation sets out classes of care or services prescribed for the purposes of paragraph (c) of the definition of *Commonwealth-funded aged care* in subsection 4(1) of the Act.
- (2) Care or services in relation to which the Commonwealth has made, or is to make, payments for the purposes of a program referred to in any of the following table items in Part 4 of Schedule 1AA to the *Financial Management and Accountability Regulations 1997* are prescribed:
 - (a) table item 415.016 (access and information);
 - (b) table item 415.017 (home support);
 - (c) table item 415.018 (residential and flexible care);
 - (d) table item 415.019 (workforce and quality);
 - (e) table item 415.020 (ageing and service improvement).
- (3) Aged care or services (or similar care or services) that are provided under any of the following instruments, and in relation to which the

Commonwealth has made, or is to make, payments to the provider of the care or services, are prescribed:

- (a) the *Treatment Principles* made under section 90 of the *Veterans' Entitlements Act 1986*;
 - (b) those *Treatment Principles* as modified by the *Treatment Principles (Australian Participants in British Nuclear Tests) 2006* made under section 16 of the *Australian Participants in British Nuclear Tests (Treatment) Act 2006*;
 - (c) the *MRCA Treatment Principles* made under section 286 of the *Military Rehabilitation and Compensation Act 2004*.
- (4) Aged care or services (or similar care or services) that are provided under an arrangement made under Part V of the *Veterans' Entitlements Act 1986*, and in relation to which the Commonwealth has made, or is to make, payments to the provider of the care or services, are prescribed.

5 Exemption for things done in direct compliance with prescribed laws

- (1) For subsection 40(2B) of the Act, all laws of the Commonwealth, the States and the Territories, as in force on 1 August 2013, are prescribed.

Note: Subsection 40(2B) provides for an exemption from Divisions 1 and 2 of Part II (prohibition of discrimination) of the Act as applying by reference to section 5A (sexual orientation), 5B (gender identity) or 5C (intersex status) of the Act. The exemption applies to things done in direct compliance with a prescribed law of the Commonwealth, a State or a Territory.

- (2) This regulation ceases to have effect at the end of 31 July 2015 as if it had been repealed by another regulation.

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
1984 No 181	3 Aug 1984	3 Aug 1984	
1987 No 56	1 May 1987	1 May 1987	—
2001 No 118	6 June 2001	6 June 2001	—
197, 2013	31 July 2013 (F2013L01480)	Sch 1: 1 Aug 2013 (s 2)	—
109, 2014	24 July 2014 (F2014L01020)	Sch 1 (item 1): 1 Aug 2014 (s 2 item 2 and Endnote 5) Remainder: 25 July 2014 (s 2 items 1, 3)	—

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
r 1	rs 2001 No 118
hdg to r 3	rs 2001 No 118
r 3	am 2001 No 118
r 4	ad 1987 No 56
	rs No 197, 2013
r 5	ad No 197, 2013
	am No 109, 2014
Sch.....	ad 1987 No 56
	rep No 197, 2013

Endnotes

Endnote 5—Uncommenced amendments

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Sex Discrimination Amendment (Exemptions) Regulation 2014 (No. 109, 2014)

Schedule 1

1 Subregulation 5(1)

Omit “the Commonwealth”.

Endnote 6—Modifications [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]