



Disability Discrimination Regulations 2019

made under the

Disability Discrimination Act 1992

Compilation No. 1

Compilation date: 2 December 2021

Includes amendments up to: F2021L00673

Registered: 2 December 2021

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Disability Discrimination Regulations 2019* that shows the text of the law as amended and in force on 2 December 2021 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

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

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name

This instrument is the *Disability Discrimination Regulations 2019*.

3 Authority

This instrument is made under the *Disability Discrimination Act 1992*.

5 Definitions

In this instrument:

Act means the *Disability Discrimination Act 1992*.

Part 2—Exemptions from prohibition of disability discrimination

6 Exemption of things done in compliance with a prescribed law

Commonwealth

- (1) For the purposes of subsection 47(2) of the Act, the following laws of the Commonwealth are prescribed laws:
 - (a) Part 9D of the *Broadcasting Services Act 1992*;
 - (b) regulations 121.270, 121.275, 133.225, 133.230, 135.265 and 135.270 of the *Civil Aviation Safety Regulations 1998*;
 - (c) regulation 131.405 of the *Civil Aviation Safety Regulations 1998*, including the Part 131 Manual of Standards to the extent it prescribes requirements for the purposes of paragraph (1)(b) of that regulation.

New South Wales

- (2) For the purposes of subsection 47(2) of the Act, the following laws of New South Wales, as in force from time to time, are prescribed laws:
 - (a) *Mental Health Act 2007* (NSW);
 - (b) *Mental Health Regulation 2013* (NSW);
 - (c) paragraphs 56(1)(e), 60(1)(c) and (d), subclause 60(2), paragraphs 65(1)(a) and (b), clause 86, paragraph 96(4)(h) and subclause 122(4) of the *Road Transport (Driver Licensing) Regulation 2017* (NSW).

South Australia

- (3) For the purposes of subsection 47(2) of the Act, the following laws of South Australia, as in force from time to time, are prescribed laws:
 - (a) subsection 75(3) and section 75A of the *Education Act 1972* (SA);
 - (b) regulation 10 of the *Fair Work (General) Regulations 2009* (SA);
 - (c) section 20 of the *Firearms Act 2015* (SA);
 - (d) section 80 of the *Motor Vehicles Act 1959* (SA).

7 Combat duties

For the purposes of the definition of **combat duties** in subsection 53(2) of the Act, duties which require, or which are likely to require, a person to commit, or participate directly in the commission of, an act of violence in the event of armed conflict are declared to be combat duties.

8 Combat-related duties

For the purposes of the definition of **combat-related duties** in subsection 53(2) of the Act, the following duties are declared to be combat-related duties:

- (a) duties which require, or which are likely to require, a person to undertake training or preparation for, or in connection with, combat duties;
- (b) duties which require, or which are likely to require, a person to work in support of a person performing combat duties.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key 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 (or will amend) the compiled law. The information includes commencement details for amending laws and details of any 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 (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

| | |
|---|---|
| ad = added or inserted | o = order(s) |
| am = amended | Ord = Ordinance |
| amdt = amendment | orig = original |
| c = clause(s) | par = paragraph(s)/subparagraph(s) /sub-subparagraph(s) |
| C[x] = Compilation No. x | pres = present |
| Ch = Chapter(s) | prev = previous |
| def = definition(s) | (prev...) = previously |
| Dict = Dictionary | Pt = Part(s) |
| disallowed = disallowed by Parliament | r = regulation(s)/rule(s) |
| Div = Division(s) | reloc = relocated |
| ed = editorial change | renum = renumbered |
| exp = expires/expired or ceases/ceased to have effect | rep = repealed |
| F = Federal Register of Legislation | rs = repealed and substituted |
| gaz = gazette | s = section(s)/subsection(s) |
| LA = <i>Legislation Act 2003</i> | Sch = Schedule(s) |
| LIA = <i>Legislative Instruments Act 2003</i> | Sdiv = Subdivision(s) |
| (md) = misdescribed amendment can be given effect | SLI = Select Legislative Instrument |
| (md not incorp) = misdescribed amendment cannot be given effect | SR = Statutory Rules |
| mod = modified/modification | Sub-Ch = Sub-Chapter(s) |
| No. = Number(s) | SubPt = Subpart(s) |
| | <u>underlining</u> = whole or part not commenced or to be commenced |

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

| Name | Registration | Commencement | Application, saving and transitional provisions |
|---|----------------------------|--|--|
| Disability Discrimination Regulations 2019 | 13 Sept 2019 (F2019L01186) | 1 Oct 2019 (s 2(1) item 1) | |
| Civil Aviation Legislation Amendment (Flight Operations—Fees and Other Consequential Amendments) Regulations 2021 | 1 June 2021 (F2021L00673) | Sch 2 (item 13): 2 Dec 2021 (s 2(1) item 5) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
|---------------------------|---------------------|
| Part 1 | |
| s 2 | rep LA s 48D |
| s 4 | rep LA s 48C |
| Part 2 | |
| s 6 | am F2021L00673 |
| Schedule 1 | rep LA s 48C |
