

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 9 October 1985

(Attorney-General)

A BILL

FOR

An Act to amend the *Human Rights and Equal Opportunity Commission Act 1985*, and for related purposes

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

5 1. (1) This Act may be cited as the *Human Rights and Equal Opportunity Commission Amendment Act 1985*.

 (2) The *Human Rights and Equal Opportunity Commission Act 1985*¹ is in this Act referred to as the Principal Act.

Commencement

10 2. This Act shall come into operation on the day fixed by Proclamation under sub-section 2 (2) of the *Australian Bill of Rights Act 1985*.

Interpretation

3. Section 3 of the Principal Act is amended—

- 15 (a) by omitting from sub-section (1) the definition of “Covenant”;
 (b) by omitting from the definition of “human rights” in that sub-section “recognised in the Covenant,”; and

- (c) by omitting sub-section (4) and substituting the following sub-section:

“(4) The reference in the definition of ‘human rights’ in sub-section (1) to the rights and freedoms recognised or declared by any relevant international instrument shall—

(a) in the case of an instrument (not being a declaration referred to in paragraph (b)) that applies to Australia—be read as a reference to the rights and freedoms recognised or declared by the instrument as it applies to Australia; or

(b) in the case of an instrument being a declaration made by an international organisation that was adopted by Australia—be read as a reference to the rights and freedoms recognised or declared by the declaration as it was adopted by Australia.”.

Functions of Commission

4. Section 11 of the Principal Act is amended—

- (a) by omitting from paragraph (1) (k) “of the Covenant,”; and
(b) by omitting from paragraph (1) (m) “the Covenant”.

Repeal of Schedule 2

5. Schedule 2 to the Principal Act is repealed.

Transitional

6. If, immediately before the commencement of this Act, the Human Rights and Equal Opportunity Commission was performing a function in relation to a matter under the Principal Act, the Principal Act continues to apply for the purpose of the performance by the Commission of that function in relation to that matter as if the amendments made by this Act had not been made.

NOTE

1. No. , 1985.