

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented and read a first time, 30 May 1990)

(SENATOR DUNN)

A B I L L

FOR

An Act to remove sexist and discriminatory language from
Commonwealth Legislation and to declare the intention
of the Parliament that language used in future
legislation be non-sexist

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

Short title

5 1. This Act may be cited as the Legislation (Non-Sexist
Language) Act 1990.

Commencement

2. This Act shall come into operation on the day on which
it receives the Royal Assent.

Interpretation

3. (1) In this Act, unless the contrary intention appears, "commencing day" means the day on which this Act comes into operation.

(2) For the purpose of this Act, an Act or a Bill shall be taken to be expressed in gender-neutral terms if terms that import only the masculine or feminine gender are used only where the intention is that they refer only to males or females, as the case may be. 5

Declaration 10

4. The Parliament of the Commonwealth hereby declares that it is its intention that Bills introduced into a House of the Parliament, and amendments of Bills proposed in a House of the Parliament, after the commencing day shall be expressed in gender-neutral terms. 15

Lists of Acts to be tabled

5. (1) The Attorney-General shall cause to be prepared:
(a) a list of those Acts that were enacted before the commencing day and are, in the opinion of the Attorney-General, expressed in gender-neutral terms; and 20
(b) a list of those Acts that were enacted before the commencing day and are not, in the opinion of the Attorney-General, expressed in gender-neutral terms. 25

(2) Subsection (1) does not apply to:
(a) an Act that had been repealed, or had otherwise ceased to be in force, before the commencing day; or
(b) an Act the operation of which had become exhausted before the commencing day.

(3) The Attorney-General shall cause copies of each of the lists referred to in subsection (1) to be laid on the table of each House of the Parliament within 6 months after the commencing day.

5 **Amendments of Acts to be prepared**

6. (1) The Attorney-General shall cause to be prepared such amendments of each Act included in the list of Acts referred to in paragraph 5(1)(b) as, in the opinion of the Attorney-General, are necessary for the Act to be expressed in gender-neutral terms.

10 (2) As soon as practicable after amendments of an Act have been prepared in accordance with subsection (1), the Attorney-General, or another Minister acting for and on behalf of the Attorney-General, shall seek leave to introduce into a House of the Parliament a Bill to make those amendments to that Act.

15 (3) In complying with subsection (1), the Attorney-General shall ensure, as far as practicable, that amendments of an Act are prepared in sufficient time for those amendments to be enacted and incorporated in the next reprint of that Act published after the commencing day.

20 (4) Subsection (1) does not require the Attorney-General to cause to be prepared any amendments of a provision of an Act included on the list of Acts referred to in subsection 5(1)(b) that:

25 (a) was repealed, or had otherwise ceased to be in force, before the commencing day; or

(b) would not be printed as part of, or as a footnote to, a reprint of an Act made after the commencing day by reason that the provision:

- (i) was operation exhausted;
- (ii) was a transitional provision; or
- (iii) related only to the application of amendments of an Act made by another Act.

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