

HUMAN RIGHTS AMENDMENT BILL

EXPLANATORY NOTE

General Policy Statement

This Bill amends the Human Rights Act 1993 to clarify its relationship with other legislation and regulations; to relieve the Human Rights Commission of its duty to complete the “Consistency 2000” review; and to confirm the removal of the temporary exemption for government-related policies and practices, subject to a limited number of specific exceptions or clarifications.

Background

In 1993 the Human Rights Commission Act 1977 and the Race Relations Act 1971 were consolidated into the Human Rights Act 1993. A number of “new” prohibited grounds of discrimination were added, namely, disability, age, political opinion, employment status, family status, and sexual orientation. The coverage of the new Act gave renewed effect to New Zealand’s international obligations under various ratified United Nations instruments, and is regarded as one of the more progressive pieces of human rights legislation in the world.

Because of the potentially wide coverage of the new grounds in relation to government activity, section 151 (2) of the Act provided a temporary exemption for “anything done by or on behalf of the Government of New Zealand” in relation to these new grounds. Section 151 (1) also continued the position that the Human Rights Act would not override other legislation or regulations. However, a sunset clause anticipated that the Government would identify conflicts with the Human Rights Act in legislation, regulations, government policies and practices; and resolve them to ensure consistency with the Human Rights Act by the year 2000. The Government would then have been able to ensure consistency either by amending conflicting provisions to conform with the Human Rights Act, or by creating new exceptions in the Act, as appropriate.

Therefore, in the 5 year period prior to the section 151 (2) exemption expiring, section 5 (1) (i) to (k) of the Act provided that the Human Rights Commission would examine all current legislation, regulations, government policies and practices for their consistency with Part II of the Act, and with the spirit and intention of the Act. A report of the results of this audit review process was to be given to the Minister of Justice by 31 December 1998. The Government would then have had 1 year to make any administrative or legislative amendments

deemed necessary before the section 151 exemption expired on 31 December 1999.

The audit review carried out by the Human Rights Commission and Government departments was called “Consistency 2000”, and involved an initial self-audit by each Government department followed by an examination and final determination by the Human Rights Commission. In 1997 the Government decided to review the “Consistency 2000” project in light of the significant resources committed to the project, and preliminary indications of the main areas of inconsistency with the Human Rights Act that would have had to be addressed. The Government decided not to continue with the review in its original form.

The Government’s Approach to “Consistency 2000”

The main features of the revised approach to the “Consistency 2000” review are:

- The Government now proposes to relieve the Human Rights Commission of its statutory duty under section 5 (1) (i) to (k) of the Act to report on inconsistencies with the Act.
- The Government intends to remove the section 151 exemption in favour of a clear statement that the Human Rights Act 1993 will not override other legislation or regulations.
- Legislation and regulations will be considered for any inconsistencies with the Human Rights Act as they come up for review.
- Government policies and practices will be required to comply with the Human Rights Act, unless otherwise provided for by a specific exemption.
- Chief executives of Government departments will have responsibility for both identifying and resolving compliance issues in relation to government policies and practices.
- Existing processes for taking human rights into account in policy and legislative development are to be strengthened.

In late 1997 the Government commenced an urgent review of all departments, to determine whether any additional amendments or exemptions to the Act were required in respect of areas of government policy and practice. The Bill implements the Government’s recent decisions as a result of this review.

Main Features of the Bill

In implementing the above decisions, the Bill has 3 main elements:

1. Repeal of the provisions of the Human Rights Act (section 5 (1) (i) to (k)) on which the “Consistency 2000” review was established;
2. Continuing section 151 (1), which provides that “except as expressly provided in this Act, nothing in this Act shall limit or affect the provisions of any other Act or regulation which is in force in New Zealand”; and
3. Introducing a small group of amendments to Part II of the Act covering the matters described below.

Defence Force

- An exception clarifies that the Defence Force can reasonably set minimum medical fitness standards for service personnel to ensure readiness for deployment on operational service.
- An exception clarifies that for the purpose of reasonably addressing the differing needs and circumstances of service personnel accompanied by a spouse or de facto partner, the Defence Force can preferentially allocate its non-barrack accommodation on the grounds of marital status.

Health and Disability Services

- An amendment clarifies that the Act does not prevent providers of health and disability services from treating health consumers differently based on an assessment of an individual's need for and ability to benefit from the services. When making the assessment, the provider may not take the prohibited grounds of discrimination into account except to the extent that they are directly relevant to the assessment. Any assessment and treatment must also have regard to section 4 (a) of the Health and Disability Services Act. That section sets out the purpose of securing the best health and disability services for the people of New Zealand that is reasonably achievable within the amount of funding provided.

Provision of Income Support and Other Social Welfare Services

- An exception allows the Crown to set different terms and conditions of entitlement, and rates, in the provision of income support. In individual cases the exception allows for decisions as to whether to make a discretionary payment and the rate at which that payment is made. The purpose of the exception is to permit different treatment consistent with a person's differing needs and circumstances, based on the grounds of marital status, disability, age, family status, or employment status.
- An exception allows the Crown to provide non-financial assistance (in connection with the provision of income support), such as budget advice, to those groups in particular need of assistance, on the grounds of marital status, race, ethnic or national origins, disability, age, employment status, or family status.
- In recovering debts incurred by recipients of income support or persons owing maintenance or liable parent contributions, an amendment clarifies that the Crown can apply different rates of repayment on the grounds of marital status, disability, age, employment status, or family status. This must be relevant to an assessment of the person's welfare needs and ability to pay.
- An exception allows the Crown to treat individuals or groups of persons differently in its decisions about carrying out an investigation or review of benefit eligibility. Arbitrary or unfair targeting is not permitted. Different treatment must be both reasonable in the circumstances and based on statistical or other information upon which it is reasonable to rely, about the likelihood of some members of a particular group of people receiving benefits for which they are ineligible.
- A provision clarifies that it is lawful for the Crown to fund or otherwise arrange for the provision of community-based social services and programmes (including vocational services) that base their eligibility partly or wholly on the prohibited grounds of race, ethnic or national origins, age, or disability. The provision applies to services and programmes provided by non-profit community organisations, to advance the well-being of disadvantaged groups in society.

Age-linked Retirement Benefits

- An exception preserves an employee's right to a monetary benefit where he or she has an existing entitlement to an age-linked retirement benefit in a public or private sector employment contract in force on 31 December 1998.

Women's Commissioner

The Bill also implements the 1996 Coalition Agreement initiative for the appointment of a Women's Commissioner, by providing for 1 of the Human

Rights Commissioners holding office to be designated as the Women's Commissioner.

Clause by Clause Analysis

Clause 1 contains the commencement provision. The Bill, other than *clause 12*, comes into force on the day after the date on which it receives the Royal assent. *Clause 12* comes into force on 1 January 2000.

PART 1

PROVISIONS RELATING TO COMMISSION AND OTHER AMENDMENTS TO PART II

Clause 2 amends section 5 (1) of the principal Act by repealing paragraphs (i) to (k). Paragraphs (i) to (k) require the Human Rights Commission to examine New Zealand legislation, and government policies and administrative practices, to determine whether they conflict with Part II of the principal Act or infringe the spirit or intention of the principal Act. This examination was to be completed before 31 December 1998 and a report was to be made to the Minister of Justice before that date. With the repeal of these paragraphs, the Human Rights Commission will now be relieved of this task (known as the "Consistency 2000" project).

Clause 3 inserts new section 7A into the principal Act. This section relates to the designation of a Women's Commissioner. As proposed, the Governor-General must, on the recommendation of the Minister of Justice, after consultation with the Minister of Women's Affairs, designate 1 of the Commissioners as the Women's Commissioner. The new section also contains provisions dealing with the revocation of a designation.

Clause 4 adds new subsections (6) and (7) to section 27 of the principal Act. Section 27 contains a number of exceptions from section 22 of the principal Act. Section 22 relates to employment matters. The new exception relates to service accommodation for members of the Armed Forces. As proposed, it will not be a breach of section 22 for the Chief of Defence Force to allocate residential accommodation to members of the Armed Forces on the basis of marital status. But that allocation must be for the purposes of reasonably addressing the differing needs and circumstances of members of the Armed Forces who are in close personal relationships.

Clause 5 amends section 29 of the principal Act. The amendment clarifies that minimum medical fitness standards may be imposed on members of the Armed Forces to the extent that those standards are reasonably necessary to ensure that members of the Armed Forces are available for operational service at short notice.

Clause 6 inserts new section 30A into the principal Act. It creates an exception from section 22 of the principal Act for employment-related retirement benefits. As proposed, it will not be a breach of section 22 to pay a retirement benefit to an employee if the following requirements are met:

- The employee's entitlement to the benefit, or the calculation of that benefit, is determined in whole or in part by the employee's age or length of service, or both:
- The benefit is a term of a written employment contract that is in force on 31 December 1998:
- The employee is, on 31 December 1998, a party to that employment contract.

The exception will also apply if the employment contract is renewed or the employer becomes a different employer because of a restructure or reorganisation.

Clause 7 makes a technical amendment to section 43 of the principal Act. Section 43 sets out the exceptions in relation to access by the public to places, vehicles, and facilities. Subsection (3) currently refers to section 25 of the Disabled Persons Community Welfare Act 1975. This section was replaced by section 47A of the Building Act 1991. This clause corrects that reference.

Clause 8 inserts *new section 44A* into the principal Act. It clarifies the position in relation to the provision of publicly funded health and disability services. The new section confirms that section 44 (which relates to the provision of goods and services) does not prevent a provider of publicly funded health services or disability services, or both, from treating a person differently when determining access, or the terms and conditions of access, to those services if the provider bases the different treatment on an assessment of the person's need for, and ability to benefit from, the services, taking into account section 4 (a) of the Health and Disability Services Act 1993. When making the assessment the provider is not permitted to take into account any of the prohibited grounds of discrimination except to the extent that those grounds are directly relevant to that assessment.

PART 2

PROVISIONS RELATING TO PROVISION OF INCOME SUPPORT AND OTHER MATTERS

Clause 9 inserts new sections relating to the provision of income support and Crown funding of community-based social services. The new provisions contain a mixture of exceptions from section 44 and clarifications of the way in which that section operates in relation to the provision of income support and Crown funding.

New section 72A defines the terms "income support", "provision of income support", and "the Welfare Acts" for the purposes of *new sections 72B to 72D*.

New section 72B sets out the exceptions in relation to the provision of income support. *Subsection (1)* deals with reasonably addressing the differing needs or circumstances of particular groups of people when providing income support, or establishing entitlement criteria for the provision of income support, to those people. *Subsection (2)* deals with reasonably addressing an individual's particular needs or circumstances. *Subsection (3)* also relates to reasonably addressing an individual's particular needs or circumstances but in relation to means testing. These exceptions cover different treatment that is based on marital status, disability, age, employment status, or family status.

New section 72c creates exceptions in relation to non-financial assistance. Non-financial assistance covers programmes, schemes, and customer services in connection with the provision of income support. As with *new section 72B*, *subsection (1)* deals with reasonably addressing the differing needs or circumstances of particular groups of people in a manner appropriate to each particular group when providing non-financial assistance to those people. *Subsection (2)* deals with reasonably addressing an individual's particular needs or circumstances. These exceptions relate to different treatment that is based on marital status, race, ethnic or national origins, disability, age, employment status, or family status.

New section 72D clarifies the position in relation to the recovery of debt by the Department of Social Welfare. The term "debt" is defined in *subsection (3)* and has a limited meaning. As proposed, section 44 will not prevent the Crown from recovering or seeking to recover a debt from any person at a different rate, or on different terms and conditions, if the different treatment is by reason of marital status, disability, age, employment status, or family status. The different treatment must also be relevant to an assessment of the person's ability to satisfy the debt and the likely effects on the welfare of that person and his or her family.

New section 72E sets out the exception relating to investigations under section 12 of the Social Security Act 1964 and benefit reviews under section 81 of that Act. In deciding whether to investigate a person, or in deciding on the extent of an investigation or a review, a person may be treated differently on the grounds of marital status, disability, age, employment status, and family status. However, certain qualifications set out in *subsection (2)* must be met before this exception applies.

New section 72F deals with Crown funding of community-based social services. It clarifies that sections 40 and 44 do not—

- Limit the power of the Crown to arrange for non-profit community organisations to provide social services or programmes where eligibility for those services or programmes is determined by reference to race, ethnic or national origins, disability, or age; or
- Make it unlawful for a non-profit community organisation to provide any of those services or programmes on behalf of the Crown.

Clause 10 makes a technical amendment to section 126 (1) of the principal Act by removing a reference to sections 124 and 125. Section 126 allows for 2 additional lay members of the High Court to be appointed if the High Court is granting a remedy under section 90 or hearing an appeal involving a question of fact under sections 123 to 125. Section 124 relates to appeals to the Court of Appeal on a question of law and, consequently, the reference to section 124 in section 126 (1) is superfluous. Section 125 relates to the making of orders relating to costs on appeal and lay members of the High Court are not ordinarily involved in the making of those orders.

Clause 11 amends section 141 of the principal Act to add a new requirement for the annual report of the Human Rights Commission. As proposed, the Human Rights Commission will need to include a summary of matters relating to the activities of the Women's Commissioner in the annual report.

Clause 12 repeals section 151 (2) of the principal Act. Section 151 (2) contains an exception from the principal Act for the New Zealand Government. With the repeal of subsection (2), all government policies and practices must comply with the principal Act unless authorised by an Act or regulation. This clause comes into force on 1 January 2000 as it is linked to the repeal of section 152.

Clause 13 repeals section 152 of the principal Act. That section provides that section 151 would have expired on 31 December 1999.

HUMAN RIGHTS AMENDMENT

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A BILL INTITULED

An Act to amend the Human Rights Act 1993

BE IT ENACTED by the Parliament of New Zealand as follows:

5 **1. Short Title and commencement**—(1) This Act may be cited as the Human Rights Amendment Act 1998, and is part of the Human Rights Act 1993* (“the principal Act”).

(2) This Act (other than **section 12**) comes into force on the day after the date on which it receives the Royal assent.

(3) **Section 12** comes into force on **1 January 2000**.

*1993, No. 82

Amendments: 1994, Nos. 138, 151

PART I

PROVISIONS RELATING TO COMMISSION AND OTHER
AMENDMENTS TO PART II

2. Functions and powers of Commission—Paragraphs (i) to (k) of section 5 (1) of the principal Act are repealed. 5

3. Designation of Women's Commissioner—The principal Act is amended by inserting, after section 7, the following section:

“7A. (1) A Commissioner must be designated as the Women's Commissioner. 10

“(2) The Women's Commissioner must be designated by the Governor-General on the recommendation of the Minister after the Minister has consulted with the Minister of Women's Affairs.

“(3) The Women's Commissioner may at any time, by delivering a notice to the Minister, ask for the designation to be revoked immediately or from a particular date, and the designation is revoked accordingly. 15

“(4) The Governor-General may at any time, on the recommendation of the Minister after the Minister has consulted with the Minister of Women's Affairs, revoke a designation under **subsection (1)**. 20

“(5) If the designation is revoked under **subsection (3) or subsection (4)**, the vacancy must, as soon as practicable, be filled in the manner specified in **subsection (2)**.” 25

4. Exceptions in relation to authenticity and privacy—Section 27 of the principal Act is amended by adding the following subsections:

“(6) For the purpose of reasonably addressing the differing needs and circumstances of members of the Armed Forces who are in close personal relationships, it is not a breach of section 22 for the Chief of Defence Force or his or her agent to allocate residential accommodation to members of the Armed Forces on the basis of marital status. 30

“(7) For the purposes of **subsection (6)**, a member of the Armed Forces is in a close personal relationship with another person if that member— 35

“(a) Is married to, and ordinarily lives with, that other person; or

“(b) Is not legally married to, but is ordinarily living in a relationship in the nature of marriage with, that other person (including a situation where that other person is of the same sex as that member).” 40

5. Further exceptions in relation to disability—Section 29 of the principal Act is amended by adding the following subsections:

5 “(4) To avoid any doubt, section 22 does not prevent the imposition of minimum medical fitness standards for service in the Armed Forces to the extent that those standards are reasonably necessary to ensure that members of the Armed Forces are available to be, and capable of being, readily deployed for operational service.

10 “(5) **Subsection (4)** does not limit subsections (1) to (3).”

6. Exception in relation to employment-related retirement benefits—The principal Act is amended by inserting, after section 30, the following section:

15 “30A. (1) Section 22 (1)(b) does not prevent an employer from paying a benefit to an employee on the retirement of that employee if—

20 “(a) The employee’s entitlement to that benefit (‘the retirement benefit’), or the calculation of that retirement benefit, is determined in whole or in part by the employee’s age or length of service, or both; and

“(b) The retirement benefit is a term of a written employment contract that is in force on **31 December 1998**; and

25 “(c) The employee is, on **31 December 1998**, a party to that employment contract.

30 “(2) If a retirement benefit is a term of an employee’s written employment contract on **31 December 1998**, **subsection (1)** continues to apply in relation to the payment of that retirement benefit even though either or both of the following things occur after that date:

35 “(a) The employee and the employer enter into a new written employment contract under which the employee remains entitled to that retirement benefit:

40 “(b) A different person becomes the employee’s employer as a result of a merger, takeover, restructuring, or reorganisation, but the employee remains entitled to that retirement benefit by virtue of any enactment or agreement.

“(3) This section does not limit section 149.”

7. Exceptions in relation to access by the public to places, vehicles, and facilities—Section 43 of the principal

Act is amended by repealing subsection (3), and substituting the following subsection:

“(3) Subsection (2) does not limit section 47A of the Building Act 1991.”

8. Provision of publicly funded health and disability services—The principal Act is amended by inserting, after section 44, the following section: 5

“44A. (1) To avoid any doubt, section 44 does not prevent a provider of publicly funded health services or disability services or both from treating a person differently when determining access, or the terms and conditions of access, to those services if the provider bases the different treatment on an assessment of the person’s need for, and ability to benefit from, those services, taking into account section 4 (a) of the Health and Disability Services Act 1993. 10 15

“(2) When a provider makes an assessment of the kind referred to in subsection (1), the provider may not take into account any of the prohibited grounds of discrimination except to the extent that those grounds are directly relevant to that assessment.” 20

PART 2

PROVISIONS RELATING TO PROVISION OF INCOME SUPPORT AND OTHER MATTERS

9. New headings and sections inserted—The principal Act is amended by inserting, after section 72, the following headings and sections: 25

“Special Provisions Relating to Provision of Income Support

“72A. Meaning of provision of income support and related terms—For the purposes of sections 72B to 72D,—

“ ‘Income support’ means any allowance, benefit, pension, superannuation, supplement, or other kind of financial assistance under any of the Welfare Acts: 30

“ ‘Provision of income support’ means the payment, crediting, or advancing of income support:

“ ‘The Welfare Acts’ means the War Pensions Act 1954, the Social Security Act 1964, the Disabled Persons Community Welfare Act 1975, and the Social Welfare (Transitional Provisions) Act 1990. 35

“72B. Exceptions in relation to provision of income support—(1) For the purpose of reasonably addressing the 40

differing needs or circumstances of particular groups of people, it is not a breach of section 44—

5 “(a) To provide income support to people at different rates, or on different terms and conditions, if the different treatment is based on any of the specified grounds; or

10 “(b) To establish entitlement criteria for the provision of income support for people, or to apply those criteria to people, if the establishment or application of those criteria is based on any of the specified grounds.

15 “(2) For the purpose of reasonably addressing a person’s particular needs or circumstances, it is not a breach of section 44 to treat that person differently on the basis of any of the specified grounds if—

“(a) That different treatment relates to—

“(i) The person’s entitlement to the provision of income support; or

20 “(ii) The nature and amount of income support which that person may receive; and

“(b) It is a matter of discretion as to—

“(i) Whether that person is entitled to the provision of income support; or

25 “(ii) The nature and amount of income support which that person may receive.

30 “(3) For the purpose of reasonably addressing a person’s particular needs or circumstances, it is not a breach of section 44 to treat that person differently on the basis of any of the specified grounds if that different treatment relates to making a determination about—

“(a) That person’s financial means or liability under any of the Welfare Acts; or

“(b) That person’s eligibility or liability for income support.

35 “(4) For the purposes of this section, the specified grounds are the grounds of marital status, disability, age, employment status, and family status.

40 “72C. **Exceptions in relation to non-financial assistance**—(1) For the purpose of reasonably addressing the differing needs or circumstances of particular groups of people in a manner appropriate to each particular group, it is not a breach of section 44 for the Crown, or any organisation on behalf of the Crown, in connection with the provision of income support,—

- “(a) To establish or apply programmes or schemes for or to people in a different manner, or on different terms and conditions, if the different treatment is based on any of the specified grounds; or
- “(b) To provide customer services to people in a different manner, or on different terms and conditions, if the different treatment is based on any of the specified grounds. 5
- “(2) For the purpose of reasonably addressing a person’s particular needs or circumstances in a manner appropriate to that person, it is not a breach of section 44 for the Crown, or any organisation on behalf of the Crown, to treat that person differently on the basis of any of the specified grounds if— 10
- “(a) That different treatment relates to—
- “(i) The person’s eligibility for non-financial assistance; or 15
- “(ii) The nature and form of any non-financial assistance which that person may receive; and
- “(b) It is a matter of discretion as to—
- “(i) Whether that person is eligible for any non-financial assistance; or 20
- “(ii) The nature and form of any non-financial assistance which that person may receive.
- “(3) For the purposes of **subsection (2)**, ‘non-financial assistance’ means programmes, schemes, or customer services in connection with the provision of income support. 25
- “(4) This section does not limit section 73.
- “(5) For the purposes of this section, the specified grounds are the grounds of marital status, race, ethnic or national origins, disability, age, employment status, and family status. 30
- “72D. **Income support debt recovery**—(1) To avoid any doubt, section 44 does not prevent the Crown from recovering or seeking to recover a debt from any person at a different rate, or on different terms and conditions, if the different treatment is by reason of any of the specified grounds and the different treatment complies with **subsection (2)**. 35
- “(2) The different treatment referred to in **subsection (1)** must be relevant to an assessment of—
- “(a) The person’s ability to satisfy the debt; and
- “(b) The likely effects on the welfare of that person and his or her family. 40
- “(3) For the purposes of this section,—

“ ‘Debt’ means—

5 “(a) Debt or penalties that are incurred in connection with the provision of income support, and recoverable under section 86 of the Social Security Act 1964:

“(b) Outstanding liable parent contributions that are recoverable under section 256 of the Child Support Act 1991:

10 “(c) Outstanding liabilities under a maintenance order that are recoverable under section 259 of the Child Support Act 1991:

“ ‘Specified grounds’ means the grounds of marital status, disability, age, employment status, and family status.

15 **“72E. Exception in relation to investigation or review of benefits—**(1) This section applies to the following decisions:

“ (a) A decision to investigate, under section 12 (2) of the Social Security Act 1964, the circumstances of any person who has been in receipt of a benefit:

20 “ (b) A decision to review a benefit under section 81 of that Act:

“ (c) A decision as to the extent of any investigation under section 12 of that Act or any review under section 81 of that Act.

25 “(2) In making a decision to which this section applies, it is not a breach of section 44 to treat persons differently on the basis of any of the specified grounds if—

30 “(a) The different treatment is based on statistical or other information, upon which it is reasonable to rely, that relates to the likelihood of a particular group of people receiving benefits for which some members of that group may be ineligible; and

35 “(b) Any person or persons who are the subject of a possible investigation or review, or who are being investigated or reviewed, belong to that particular group; and

“(c) The different treatment is reasonable, having regard to the significance of the information in the circumstances.

40 “(3) For the purposes of this section, the specified grounds are the grounds of marital status, disability, age, employment status, and family status.

“Provision of Community-Based Social Services by Crown

“72F. Crown funding of community-based social services—(1) Subject to **subsection (2)**, sections 40 and 44 do not—

- “(a) Limit the power of the Crown to arrange, by providing 5
funding or otherwise to a non-profit community
organisation, for that organisation to provide social
services and programmes (including work or
training schemes or employment assistance
measures) where eligibility for those social services 10
or programmes is determined, in whole or in part,
by reference to any of the specified grounds; or
- “(b) Make it unlawful for a non-profit community 15
organisation to provide, on behalf of the Crown, any
of those social services or programmes where
eligibility for those social services or programmes is
determined, in whole or in part, by reference to any
of the specified grounds.

“(2) The aim of the social services or programmes referred to
in **subsection (1)** must be to establish and promote social services 20
and programmes within the community that advance the well-
being of people who are in need of support.

“(3) This section does not limit section 73.

“(4) For the purposes of this section, the specified grounds 25
are the grounds of race, ethnic or national origins, disability,
and age.”

10. Additional members of High Court for purposes of Act—Section 126 (1) (b) of the principal Act is amended by 30
omitting the expression “sections 123 to 125”, and substituting
the expression “section 123”.

11. Annual report—Section 141 of the principal Act is
amended by inserting, after subsection (1), the following
subsection:

“(1A) Each year, the Commission must include in the report 35
a summary of matters relating to the activities of the Women’s
Commissioner for that year.”

12. Other enactments and actions not affected—
Section 151 (2) of the principal Act is repealed.

13. Expiry of section 151—Section 152 of the principal Act 40
is repealed.