

2016-2017-2018

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Sex Discrimination Amendment
(Protecting Students) Bill 2018**

No. , 2018

(Attorney-General)

A Bill for an Act to amend the *Sex Discrimination Act 1984*, and for related purposes

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1 **A Bill for an Act to amend the *Sex Discrimination***
2 ***Act 1984*, and for related purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act is the *Sex Discrimination Amendment (Protecting*
6 *Students) Act 2018*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Schedule 1—Amendments

Sex Discrimination Act 1984

1 At the end of subsection 7B(2)

Add:

; and (d) if the condition, requirement or practice is imposed, or proposed to be imposed, in relation to a student by an educational institution that is a primary school or a secondary school and that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed:

- (i) whether the condition, requirement or practice is imposed, or proposed to be imposed, in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or creed; and
- (ii) whether, in imposing, or proposing to impose, the condition, requirement or practice, the educational institution has regard to the best interests of the student.

2 After section 7D

Insert:

7E Educational institutions established for religious purposes

- (1) Nothing in this Act renders it unlawful to engage in teaching activity if that activity:
 - (a) is in good faith in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed; and
 - (b) is done by, or with the authority of, an educational institution that is conducted in accordance with those doctrines, tenets, beliefs or teachings.

- (2) In this section:

teaching activity means any kind of instruction of a student by a person employed or otherwise engaged by an educational institution.

- 1 **3 Subsection 38(3)**
2 Repeal the subsection.

Handwritten notes:
we just added
the subsection
first