

Attachments:



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Sent: Saturday, February 18, 2023 11:01 AM

To:



Subject: FW: table for sex/gender anti-discrimination provisions

This is the first table table comparing anti-discrimination laws,

Moira

Anti-discrimination law regarding sex/gender in Australian states

Protected attributes	Sex	Intersex	Sexual orientation	Gender identity	Transgender
Cth Sex Discrimination Act 1984	yes	yes	yes	yes	Not explicitly
ACT Anti-Discrimination Act 1991	Yes Sex ; & Sex chara'tics	No But see 'sex characteristics'	Yes, sexuality	yes	Yes if 'record of sex change' counts
NSW Anti-Discrimination Act 1977	Yes	no	Yes Homosexuality Vilif homo prohib Vilif hiv/aids prohib	no	Yes Exemption for sport Vilif prohib
NT Anti-Discrimination Act 1992	Yes Exemption for sport above 12	no	Yes Sexuality Meaning homo-, hetero-, bi-, trans-sexuality	no	no
QLD Anti-Discrimination Act 1991	yes	no	Yes Sexuality; Lawful sexual activity	Yes Gender identity doesn't effect ability exclude from sport on basis of sex	Not explicitly Vilification prohib re gender identity

SA Equal Opportunity Act 1984	yes	yes	yes	yes	Not explicit
TAS Anti- Discrimination Act 1998	NO [I think they assume 'sex' is covered by 'gender identity']	yes	Yes Sexual orientation; and Lawful sexual activity	Gender Gender identity	Not explicitly
VIC Equal Opportunity Act 2010	Yes	Not explicitly Sex characteristics	Yes Sexual orientation And Lawful sexual activity	Gender identity Exception for sport Section 72	Not explicitly
WA Equal Opportunity Act 1984	Yes Sport exception	no	Yes	No But see 'gender history'	Yes "gender history" = "identifies as a member of the opposite sex"

Australian Human Rights Commission

Quick Guide to Australian Discrimination Law

<https://humanrights.gov.au/our-work/employers/quick-guide-australian-discrimination-laws>