

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 27 July 1993

HUMAN RIGHTS BILL

Proposed Amendment

Hon. JOHN BANKS, in Committee, to move the following amendment:

Clause 46A: To insert, after line 4 on page 36, the following clause:**46A. Exceptions in relation to Armed Forces and Police**—It shall not be a breach of section 35 of this Act—

- (a) To refuse or omit to employ, as a member of the Armed Forces or as a sworn member of the Police, any person who has a homosexual, lesbian, or bisexual orientation; or
- (b) To dismiss or retire any person from his or her position as a member of the Armed Forces or as a sworn member of the Police by reason of the fact that that person has a homosexual, lesbian, or bisexual orientation; or
- (c) To impose or apply, in relation to members of the Armed Forces or members of the Police, disciplinary requirements that relate only to members of the Armed Forces or members of the Police who have a homosexual, lesbian, or bisexual orientation.

EXPLANATORY NOTE

Clause 46A: The effect of the new *clause 46A* is that it is not to be a breach of *clause 35* (which relates to employment)—

- (a) To refuse or omit to employ, as a member of the Armed Forces or as a sworn member of the Police, any person who has a homosexual, lesbian, or bisexual orientation; or
- (b) To dismiss or retire any person from his or her position as a member of the Armed Forces or as a sworn member of the Police by reason of the fact that that person has a homosexual, lesbian, or bisexual orientation; or
- (c) To impose or apply, in relation to members of the Armed Forces or members of the Police, disciplinary requirements that relate only to members of the Armed Forces or members of the Police who have a homosexual, lesbian, or bisexual orientation.