

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Program 1.1**

**Question No. 2**

**Senator Fifield asked the following question at the hearing on 18 October 2011:**

**Senator FIFIELD:** ...What time frame is government looking at in considering amending legislation...?

**Mr Wilkins:** I might get Mr Matt Hall to answer that, Senator.

**Mr Hall:** The process for considering the sorts of issues you have raised including the possibility of co-regulation—and that is certainly an issue that would be considered, I would expect, through the project to consolidate antidiscrimination laws—is underway at the moment. The discussion paper on the project was released on 22 September and the submissions on the discussion paper are due by 1 February next year, and they will inform draft legislation which will also be released for public consultation in 2012. So that is really the time frame.

**Senator FIFIELD:** But the government does not have any particular objections or difficulties with the concept of this sort of supplementary compliance mechanism?

**Mr Hall:** The government has not considered the options, but certainly there have been no objections made by the government to this sort of proposal being put forward and considered.

**Senator FIFIELD:** It might be something that the minister can take back to the Attorney-General, that there is a need here to facilitate this sort of cooperative approach and to provide greater certainty in particular sectors.

**Senator Ludwig:** I will take these comments back to the Attorney-General and see if he wants to add anything. So effectively, I will take it on notice and he will obviously have a look at the transcript and see if he can provide any additional information.

**Senator FIFIELD:** Thank you, Minister.

**The answer to the honourable senator's question is as follows:**

Co-regulation options are specifically canvassed in the consolidation of anti-discrimination laws discussion paper. However, the Government has not reached a policy position on co-regulation and the possibility of its inclusion in the consolidated law.

Consultations and submissions on the discussion paper will inform the development of exposure draft legislation, which will be released for further public consultation early in 2012.