

House of Representatives

Supplementary Order Paper

Tuesday, 15 August 2023

Integrity Sport and Recreation Bill

Proposed amendment

Karen Chhour, in Committee, to move the following amendment:

Clause 14

After *clause 14(1)* (page 11, after line 15), insert:

- (1A) In the performance of its functions and the exercise of its powers, the Commission must act consistently with section 49 of the Human Rights Act 1993.

Explanatory note

This Supplementary Order Paper amends the Integrity Sport and Recreation Bill. Section 5 of the Bill sets out that the Commission regard discrimination as a threat to integrity in sport. Men's and women's sporting competitions are separate, recognising the inherent differences of the two sexes in terms of physical strength, stamina and physique. The Human Rights Act 1993 (section 49) provides for the exclusion of persons of one sex from participation in any competitive sporting activity in which the strength, stamina, or physique of competitors is relevant and that the Commission must act consistently with this provision. This ensures that where a sporting code determines that particular competitions are limited to biological females on the basis of the strength, stamina, or physique of competitors, the Commission does not treat that as discrimination and a threat to the integrity of that sport.