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SPECIAL SUPPLEMENT

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti Discrimination Act 1977 (NSW), and on the recommendation of the Anti Discrimination Board, but for the purposes only of meeting the Applicants' legal obligations pursuant to Manufacturing Licence Agreements, Technical Assistance Agreements, Proprietary Information Agreements, and or license agreements granted by the US Department of Commerce, pursuant to the United States International Traffic in Arms Regulations ("ITAR") and Export Administration Regulations ("EAR") ("the US Regulations"), the Applicants are granted an exemption from the provisions of sections 8 and 51 of the Anti Discrimination Act 1977 to the extent necessary to permit the Applicants to do the following:

- (a) ask present and future employees to advise their exact citizenship (including any dual citizenship) and/or residency status under Australian law;
- (b) require present and future employees to wear a badge which distinguishes between employees on the basis of their citizenship (including any dual citizenship) and/or residency status under Australian law (but which does not otherwise reveal or store information about any employee's race, colour, nationality, descent, or ethnic, ethno-religious or national origin);
- (c) require employees involved in projects which use technology and/or material to which the US Regulations apply to notify the Applicants of any change to their citizenship or residency status under Australian law;
- (d) restrict access, by means of transfer if necessary, to controlled technology and the performance of particular roles in the Applicants' organisations connected with the use of controlled technology, to particular members of the Applicants' workforces, based on their citizenship or residency status under Australian law; and
- (e) reject applications from prospective employees for positions related to projects which use technology and/or material to which the US Regulations apply, based on the prospective employee's citizenship or residency status under Australian law but not on the basis of the prospective employee's descent, or ethnic, ethno-religious or national origin.

This Exemption Order does not extend to any other identification, collection, storage or use of information in relation to any employee in respect of that employee's race, colour, nationality, descent or ethnic, ethno-religious or national origin.

Except to the extent expressly provided herein, this Exemption Order does not excuse, or purport to excuse, the Applicants from complying with their obligations pursuant to the Anti-Discrimination Act 1977 (NSW) or any other legislation or at common law.

The Applicants are required, prior to taking any action permitted by this Exemption Order, to provide all employees, and prospective employees with:

- (i) express notice that they may be adversely affected by this exemption if they are not an Australian national or if they hold dual nationality;
- (ii) a reasonable explanation in plain English of the nature of any adverse effects of such action to them; and
- (iii) information (at the time of recruitment, in the case of prospective employees) about how they can apply for Australian citizenship or renounce under Australian law any other citizenship they may hold, and a reasonable opportunity to take such steps.

In addition to the above conditions the Applicants are required to:

1. produce comprehensive anti-discrimination policies governing all aspects of the work and workforce, including management, and with particular regard to race discrimination, vilification and harassment and victimization;
2. establish concise and comprehensive dispute resolution and grievance procedures to receive, investigate and resolve discrimination complaints and grievances and, in particular, those relating to race discrimination, vilification and harassment and victimization;
3. implement training programs, including at induction, to ensure that all members of the Applicants' workforces, including management, are fully informed of their rights and obligations under such policies and procedures particularly with regard to issues of race discrimination, vilification, harassment and victimisation;
4. ensure that all members of the workforce, including management, receive regular education and training in issues of discrimination, particularly race discrimination, vilification harassment and victimization;
5. take steps to fully inform the workforce, including management, of their rights under the Anti Discrimination Act 1977 (NSW) (ADA) and, in particular (but not limited to) the complaints procedure under the ADA and to ensure that all members of the workforce, including management, are aware of the rights of aggrieved persons to take their complaints to the Anti-Discrimination Board and through the Administrative Decisions Tribunal;
6. take steps to fully inform the workforce, including management, of the requirements of, and their rights and obligations under, the Racial Discrimination Act 1975 (Cth);
7. notify the Board when the discriminatory terms and provisions of the relevant US legislation and/or Regulations are repealed or become inoperative, so that this Exemption Order may be revoked or amended.

The Applicants are required to take all reasonable steps to ensure that any employees adversely affected by this exemption order, retain employment with the Applicants, and do not suffer a reduction in wages, salary or opportunity for advancement.

If the Applicants, in order to enable them to comply with the US Regulations or related contractual obligations associated with the US Regulations, move a member of the workforce from one project to another, the Applicants must take reasonable steps both to explain to that person why the transfer has occurred and to avoid any race-based hostility that might result from the transfer.

Where prospective employees adversely affected by this Exemption Order would otherwise have been acceptable to the Applicants as employees, the Applicants are required to consider and, if feasible, implement reasonable and practicable alternatives to rejection, such as employment in other work or obtaining the necessary approvals under the US Regulations.

In this Exemption Order:

- (a) the expression "the Applicants" means ADI Ltd, ADI Munitions Pty Ltd, ADI Advanced Systems Pty Ltd, Thales Underwater Systems Pty Ltd, and Thales Training and Simulation Pty Ltd and any related entity as defined under Section 9 of the Corporations Act; and
- (b) the expression "controlled technology" means any technical data, defence service, defence article, technology or software which is the subject of export controls under the US Regulations.

This exemption is for a period of three months.

Dated this 26th day of June 2008.

JOHN HATZISTERGOS, M.L.C.,
Attorney General

CONTAMINATED LAND MANAGEMENT REGULATION 2008

NOTICE is given in accordance with section 5 of the Subordinate Legislation Act 1989 of the intention to make a regulation under the Contaminated Land Management Act 1997. The Contaminated Land Management Act 1997 provides for the assessment and management of contaminated land in NSW. The Contaminated Land Management Regulation 1998 is made under the Act and contains administrative provisions relating to the operation of the Contaminated Land Management Act 1997.

The proposed Contaminated Land Management Regulation 2008 is planned to replace the 1998 Regulation which will be automatically repealed on 1 September 2008.

The draft Regulation and Regulatory Impact Statement can be accessed via the Department of Environment and Climate Change's website: www.environment.nsw.gov.au/consult or by contacting Environment Line on 131 555.

Written comments and submissions on the proposed regulation will be accepted up to Tuesday, 22 July 2008 and should be addressed to:

Manager, Contaminated Sites Section,
Department of Environment and Climate Change,
PO Box A290,
Sydney South NSW 1232

Submissions can be emailed to clmreg@environment.nsw.gov.au

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