

**LEGISLATIVE ASSEMBLY**  
**GENDER EQUALITY BILL 2019**

(Amendments and New Clause to be moved by Ms Kealy)

1. Clause 1, line 9, omit "services; and" and insert "services."
2. Clause 1, page 2, lines 1 and 2, omit all words and expressions on these lines.
3. Clause 3, lines 13 to 15, omit all words and expressions on these lines.
4. Clause 12, line 4, omit "Commissioner" and insert "Secretary".
5. Clause 12, line 7, omit "Commissioner" and insert "Secretary".
6. Clause 12, line 9, omit "Commissioner" and insert "Secretary".
7. Clause 12, line 14, omit "Commissioner" and insert "Secretary".
8. Clause 13, line 26, omit "Commissioner" and insert "Secretary".
9. Clause 13, line 32, omit "Commissioner" and insert "Secretary".
10. Clause 14, line 12, omit "**Commissioner**" and insert "**Secretary**".
11. Clause 14, line 14, omit "Commissioner" and insert "Secretary".
12. Clause 14, line 16, omit "Commissioner" and insert "Secretary".
13. Clause 14, line 17, omit "Commissioner" and insert "Secretary".
14. Clause 14, line 19, omit "Commissioner" and insert "Secretary".
15. Clause 15, line 27, omit "Commissioner" and insert "Secretary".
16. Clause 15, line 30, omit "Commissioner" and insert "Secretary".
17. Clause 19, line 4, omit "Commissioner" and insert "Secretary".
18. Clause 19, line 7, omit "Commissioner" and insert "Secretary".
19. Clause 19, line 9, omit "Commissioner" and insert "Secretary".
20. Clause 20, line 20, omit "**Commissioner**" and insert "**Secretary**".
21. Clause 21, line 25, omit "**Commissioner**" and insert "**Secretary**".
22. Clause 21, line 27, omit "Commissioner" and insert "Secretary".
23. Clause 22, line 3, omit "Commissioner" and insert "Secretary".
24. Clause 22, line 5, omit "Commissioner" and insert "Secretary".
25. Clause 22, line 27, omit "Commissioner" and insert "Secretary".
26. Clause 23, line 8, omit "Commissioner's" and insert "Secretary's".

27. Clause 23, line 16, omit "Commissioner" and insert "Secretary".
28. Clause 23, line 29, omit "Commissioner" and insert "Secretary".
29. Clause 24, line 6, omit "Commissioner" and insert "Secretary".
30. Clause 24, line 9, omit "Commissioner" and insert "Secretary".
31. Clause 25, line 22, omit "Commissioner's" and insert "Secretary's".
32. Clause 25, line 26, omit "Commissioner's" and insert "Secretary's".
33. Clause 26, line 31, omit "Commissioner" and insert "Secretary".
34. Clause 26, page 21, line 6, omit "Commissioner" and insert "Secretary".
35. Clause 26, page 21, line 9, omit "Commissioner's" and insert "Secretary's".
36. Clause 27, line 16, omit "Commissioner" and insert "Secretary".
37. Clause 27, line 20, omit "Commissioner" and insert "Secretary".
38. Clause 27, line 23, omit "Commissioner" and insert "Secretary".
39. Clause 27, line 28, omit "Commissioner" and insert "Secretary".
40. Clause 27, line 32, omit "Commissioner" and insert "Secretary".
41. Clause 27, line 34, omit "Commissioner" and insert "Secretary".
42. Part heading preceding clause 28, omit this heading.
43. Division heading preceding clause 28, omit this heading.
44. Clause 28, omit this clause.
45. Clause 29, omit this clause.
46. Clause 30, omit this clause.
47. Clause 31, omit this clause.
48. Clause 32, omit this clause.
49. Clause 33, omit this clause.
50. Clause 34, omit this clause.
51. Clause 35, omit this clause.
52. Division heading preceding clause 36, omit this heading.
53. Clause 36, omit this clause.
54. Clause 37, omit this clause.
55. Division heading preceding clause 38, omit this heading.

56. Clause 38, omit this clause.
57. Clause 39, omit this clause.
58. Clause 40, omit this clause.
59. Clause 41, omit this clause.
60. Clause 42, omit this clause.
61. Division heading preceding clause 43, omit this heading.
62. Clause 43, omit this clause.
63. Clause 44, omit this clause.
64. Clause 45, omit this clause.
65. Clause 46, omit this clause.
66. Clause 48, after line 29 insert—
  - "(3) The Treasurer or the Minister responsible for administering **the Financial Management Act 1994**, as the case requires, must ensure that guidelines issued under subsection (1) will not result in small businesses being discriminated against in relation to the allocation of funding or grants, or entering into service agreements.
  - (4) In particular, guidelines issued under subsection (1) must adequately reflect the constraints on small businesses in relation to matters including, but not limited to—
    - (a) the limited resources of small businesses to manage an additional administrative burden; and
    - (b) the typical size of the workforce of small businesses, which may not be sufficient to achieve broad workplace diversity; and
    - (c) the fact that small businesses in regional Victoria may not have access to workforce choice including in relation to recruitment to skilled positions or governance roles."
67. Clause 49, after line 10 insert—
  - "(3) The Minister responsible for administering **the Financial Management Act 1994** must ensure that guidelines issued under subsection (1) will not result in small businesses being discriminated against in procurement processes engaged in by defined entities.
  - (4) In particular, guidelines issued under subsection (1) must adequately reflect the constraints on small businesses in relation to matters including, but not limited to—
    - (a) the limited resources of small businesses to manage an additional administrative burden; and

- (b) the typical size of the workforce of small businesses, which may not be sufficient to achieve broad workplace diversity; and
- (c) the fact that small businesses in regional Victoria may not have access to workforce choice including in relation to recruitment to skilled positions or governance roles."

- 68. Clause 51, line 14, omit "Commissioner" and insert "Secretary".
- 69. Clause 51, line 16, omit "Commissioner" and insert "Secretary".
- 70. Clause 51, line 18, omit "Commissioner" and insert "Secretary".

#### NEW CLAUSE

- 71. Insert the following New Clause to follow clause 27—

#### **"28 Delegation**

The Secretary may delegate, by instrument, any power of the Secretary under this Act, other than this power of delegation, to any person who is employed under the **Public Administration Act 2004** and has the necessary skills to exercise that power."

#### LONG TITLE

- 72. Long title, omit ", to establish the Public Sector Gender Equality Commissioner".