

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

**Output 1.3**

**Question No. 60**

**Senator Brandis asked the following question at the hearing on 18 February 2008:**

Same-Sex Entitlements

Please advise the Committee if the government has it in mind to deal with the matter of adopting and implementing recommendations in the HREOC report this year?

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

The Attorney-General has advised the following:

The Government is committed to removing same-sex discrimination in Commonwealth laws in a number of areas including taxation, superannuation and social security benefits.

The Attorney-General's Department has finalised an audit of Commonwealth laws to identify provisions that discriminate against people in same-sex relationships (taking account of the Human Rights and Equal Opportunity Commission report *Same-Sex: Same Entitlements*). The focus of the Commission's report was on financial and work-related legislation that discriminates against same-sex couples and their children.

The Department's audit covered other areas of life in Australia. The audit confirmed the findings of the Commission's report and has identified federal legislation in these areas that discriminate against same-sex couples and their children. Areas of discrimination include taxation, social security, superannuation, workplace laws and education assistance.

The Government is considering the results of the Department's audit. The timing of any decision or announcement is a matter for Government.