

RECOMMENDATIONS

Recommendation 1

3.86 That the Government undertake additional consultation with stakeholders and give further consideration to refining the test for direct discrimination in the DDA, and in particular:

- The removal of the 'comparator' component contained at subsections 5(1) and 5(2) of the Act, and at new sections 5(1) and 5(2)(b) of the Bill; and
- Whether the definition of discrimination contained in the *Discrimination Act 1991 (ACT)* should be adopted in the DDA.

Recommendation 2

3.87 That the Government consider the inclusion in either the DDA or related guidelines of examples to better illustrate the intended operation of the 'comparator' test in subsection 5(1) of the Bill.

Recommendation 3

3.88 That paragraph 30(3)(a) be amended to the effect that:

- (a) Evidence is produced that the first person requested or required the information other than for a purpose of unlawfully discriminating against the other person on the ground of the disability.

Recommendation 4

3.89 That the Government consider implementing recommendation 13.5 of the Productivity Commission's Review of the *Disability Discrimination Act 1992*.

Recommendation 5

3.90 That the Australian Electoral Commission expedite the implementation of more accessible voting procedures for voters with a disability.

Recommendation 6

3.91 That subject to recommendation 3, the Bill be passed.

