



The Northern Territory Anti-Discrimination Commission promotes equality of opportunity in the Territory by administering the Northern Territory Anti-Discrimination Act.

YOUR RIGHTS YOUR RESPONSIBILITIES WHAT THE ACT MEANS



The Act defines discrimination as any distinction, restriction, exclusion or preference made on the basis of an attribute that has the effect of nullifying or impairing equality of opportunity AND harassment on the basis of an attribute. Unlawful discrimination is unfair treatment based on one of the attributes set out in the Act.

These attributes are:

- ✓ Race
- ✓ Sex
- ✓ Sexuality
- ✓ Age
- ✓ Pregnancy
- ✓ Parenthood
- ✓ Breast feeding
- ✓ Impairment – (disability)
- ✓ Trade union or employer
- ✓ Religious belief or activity
- ✓ Political opinion, affiliation or activity
- ✓ Irrelevant medical record
- ✓ Irrelevant criminal record
- ✓ Marital status
- ✓ Association with a person who has, or is believed to have one of these attributes
- ✓ Details being published under section 66M of the Fines and Penalties (Recovery) Act

The Act also sets out other prohibited conduct including:

- ✓ Sexual harassment
- ✓ Unreasonable failure to accommodate a special need because of an attribute
- ✓ Seeking unnecessary information that might lead to unlawful discrimination
- ✓ Discriminatory advertising
- ✓ Refusing a guide dog

- ✓ Victimisation for having made a complaint or been a witness in a discrimination complaint

Discrimination is only unlawful if it is prohibited under the Act.

Under the Act the Commission can only become involved in matters which happen in the following areas:

- ✓ Work
- ✓ Access to goods, services and facilities
- ✓ Accommodation
- ✓ Education
- ✓ Registered clubs that serve alcohol
- ✓ Insurance and superannuation

The Act does not cover discrimination or prohibited conduct that happens at home or in private life.

The Commission handles all complaints confidentially and fairly. It does not take sides. In most cases, the Commission resolves the complaints through conciliation by helping the Complainant (the person making the complaint) and the Respondent (the person or organisation alleged to have caused the problem) to discuss the issues and reach an agreement.

The Commission handles complaints using the following procedure:

- ✓ **Complaint lodged:** Complaints must be lodged formally (in writing) with the Commission within 12 months of the alleged discrimination or prohibited conduct.
- ✓ **Complaint is accepted or declined:** The Commission aims to decide to

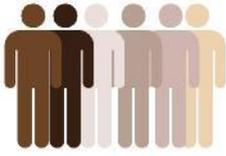
accept or decline the complaint within 10 days of receipt.

- ✓ **The Respondent is notified if complaint is accepted.**
- ✓ **The complaint is set down for a compulsory conciliation** within 6 weeks of receipt of the complaint. The Conciliator will explore ways to resolve the complaint and may facilitate a meeting between the Complainant and the Respondent to discuss the complaint and possible resolutions. Many complaints are settled at this stage. If the complaint is not settled the Complainant may request their matter be further evaluated. They have 21 days to make this request.
- ✓ **Evaluation: The Commission will evaluate whether the complaint has a reasonable prospect of success if it were to be referred to hearing. The Commission will ask parties for their evidence. They may also order the production of documents or evidence from individuals to help with this evaluation.**
- ✓ **Hearing:** If the matter is referred to hearing it will be listed for a public hearing by the Northern Territory Civil and Administrative Tribunal (NTCAT). If the matter is not referred to hearing the parties can still file their matter with the Tribunal.

ATTRIBUTES



Harassment



RACE



PARENTHOOD



TRADE UNION

AGE



SEX



CONFIDENTIAL



RELIGIOUS BELIEF



DISABILITY



SEXUALITY

Information available from the Commission

Resources:

- ✓ Italk Discrimination Stories
- ✓ Discrimination Adverts
- ✓ Talking Posters
- ✓ Easy Street Video



Factsheets:

- ✓ Anti-Discrimination Act... Your rights...Your responsibilities...
- ✓ Sexual Harassment
- ✓ What You Need to Know About Discrimination
- ✓ People With An Impairment (Disability)
- ✓ How We Handle Complaints
- ✓ Guide to Conciliation Conferences
- ✓ Easy Read Conciliation Brochure
- ✓ Evaluation
- ✓ Evaluation for Conciliation
- ✓ Someone has made a complaint against me. What do I do now?



Conciliation Conferences



Easy English 2014

Posters:

- ✓ Sexual Harassment
- ✓ Know Your Rights, Know Your Responsibilities
- ✓ Welcome to My Country
- ✓ Talking Posters (Indigenous Languages)
- ✓ Anti-Discrimination Commission
- ✓ Discrimination Posters

A Night Club- What Would You Do?
Stories about discrimination



A Shop - What Would You Do?
Stories about discrimination



A Petrol Station- What Would You Do? Stories about discrimination



General Factsheet available in:

- ✓ Arabic ✓ Chinese ✓ French ✓ Greek ✓ Indonesian
- ✓ Nepalese ✓ Singhalese ✓ Somali ✓ Spanish ✓



**Northern Territory
Anti-Discrimination Commission**

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