

New and updated protections no longer commencing on 1 July 2025.

On 30 April 2025, the Crisafulli LNP Government passed amendments through parliament which prevented new and updated protections in the Anti-Discrimination Act 1991 from commencing on 1 July 2025.

The changes would align Queensland's anti-discrimination laws with laws that already exist in other States and Territories, and Commonwealth legislation, and many were recommended by the Queensland Human Rights Commission following their recent review of Queensland's laws (known as the *Building Belonging* Report).

The new and updated protections no longer commencing on 1 July 2025 include:

Family, carer or kinship responsibilities	Updated to include carer or kinship responsibilities in addition to family responsibilities.	<p>Queensland's discrimination laws currently only protect people with family responsibilities and do not protect people with other caring responsibilities (e.g., workers who care for an elderly person or a person with a disability, who are not their immediate family) or Aboriginal and Torres Strait Islander people maintaining their kinship ties.</p> <p>The change implements Recommendation 26 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT, South Australia and Northern Territory. New South Wales and Victoria also extend their protections to carers, but do not include kinship responsibilities.</p>
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<p>Parental status</p>	<p>Updated to include in the definition of a 'parent':</p> <p>for an Aboriginal person: a person who, under Aboriginal tradition, is regarded as a parent of the person; and</p> <p>for a Torres Strait Islander person: a person who, under Island custom, is regarded as a parent of the person.</p>	<p>Queensland's discrimination laws currently do not acknowledge Aboriginal and Torres Strait Islander kinship ties. The change addresses this.</p>
<p>Race</p>	<p>Updated to include in the definition of 'race' immigration or migration status, and caste.</p>	<p>The change implements Recommendation 25 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT, Northern Territory and Tasmania, as well as the Commonwealth Racial Discrimination Act 1975.</p>

<p>Sexual orientation</p>	<p>Updated to the new term of 'sexual orientation' instead of 'sexuality'.</p>	<p>The current definition of 'sexuality' is limited to mean heterosexuality, homosexuality or bisexuality. The change replaces this with 'sexual orientation' meaning 'the person's capacity, or lack of capacity, for emotional, affectional and sexual attraction to, or intimate or sexual relations with, persons of a different gender or the same gender or more than one gender'.</p> <p>The new definition is inclusive of a greater spectrum of sexual orientations and is not restricted to certain categories or existing language.</p> <p>The change implements Recommendation 23 of the <i>Building Belonging</i> Report and is consistent with protections in Victoria, South Australia, Western Australia, Tasmania and the Northern Territory, as well as the Commonwealth Sex Discrimination Act 1984.</p>
<p>Subjection to domestic or family violence</p>	<p>New</p>	<p>Queensland's discrimination laws currently do not protect people who are subjected to domestic or family violence.</p> <p>The change implements Recommendation 31 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT, South Australia and the Northern Territory, as well as adverse action protections in the Industrial Relations Act 2016 (Qld) and the Fair Work Act 2009 (Cth).</p>

Pregnancy or potential pregnancy	Updated to include potential pregnancy, in addition to pregnancy.	<p>Queensland's discrimination laws currently do not protect people seeking or participating in fertility treatment despite one in six Australian couples experiencing fertility issues and around one in every eighteen Australian babies being born as a result of IVF or IUI treatment.</p> <p>The change is consistent with protections in South Australia, Tasmania and the Northern Territory, as well as the Commonwealth Sex Discrimination Act 1984.</p>
Homelessness	New	<p>Queensland's discrimination laws currently do not protect people who experience homelessness.</p> <p>The change implements Recommendation 32 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT and Northern Territory.</p>
Physical appearance	New	<p>Discrimination on the basis of physical appearance is currently lawful in Queensland. The change addresses this by providing a protection which covers physical characteristics such as weight, size, height, birth marks, scars and any other characteristic that is not freely chosen (e.g. piercings and tattoos are not covered).</p> <p>The change implements Recommendation 30 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT and Victoria.</p>

<p>Trade union activity</p>	<p>Updated to include a definition of trade union activity.</p>	<p>The change ensures there is certainty about what trade union activities are protected, and the definition of 'trade union activity' is consistent with the definition of 'industrial activity' in the Industrial Relations Act 2016 (Qld). This includes 'being represented by', 'advancing the views, claims or interests of' and 'participating in... a lawful activity organised or promoted by' a union.</p>
<p>Irrelevant medical record</p>	<p>New</p>	<p>Discrimination on the basis of an irrelevant medical record is a significant problem in many workplaces, whether that be in pre-employment screening or the rehabilitation and return to work process. Many employers seek access to medical records that have no relevance to an employee's duties or are beyond the injury or medical condition that has caused an employee's incapacity for work.</p> <p>Queensland's discrimination laws currently do not provide a specific protection in relation to this type of discrimination.</p> <p>The change is consistent with protections in Tasmania and the Northern Territory, as well as the Australian Human Rights Commission Act 1986 (Cth).</p>

<p>Irrelevant criminal record</p>	<p>New</p>	<p>Discrimination on the basis of an irrelevant criminal record is currently lawful in Queensland.</p> <p>For example, many employers require a background criminal check in the employment screening process and are subsequently discriminating against employees on the grounds of criminal records which do not relate to the inherent requirements of the advertised job.</p> <p>The change implements Recommendation 29 of the <i>Building Belonging</i> Report and is consistent with protections in the ACT, Tasmania and the Northern Territory, as well as the Australian Human Rights Commission Act 1986 (Cth).</p>
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