2 October 2019

Human Rights Unit, Integrity Law Branch, Integrity and Security Division
Attorney-General's Department
3-5 National Circuit, Barton, ACT 2600
FoRConsultation@ag.gov.au

To Whom It May Concern,

Whilst there is much to be applauded in this Bill, we wish to express our deep concern regarding two sections of the draft Religious Discrimination Bill, 2019.

1. Definition of Commercial Activities

Within the Explanatory notes (170 - 175) the notes specifically exclude an entity that engages primarily or solely in a commercial activity. Our organisation, Christian Youth Camps of South Australia, provides services and products that require a fee for payment. At times these fees may be received from a government department, such as when a ward of the state attends a holiday camp, or a school comes on camp. Whilst there is consideration for services and products rendered, as a registered Charity we are a ‘not for profit’ organisation that provides “profit for community” rather than profit to a private/shareholder company.

It seems highly discriminatory to exclude entities such as us from this legislation just because we need to charge a fee for the services we render. As we incur costs (wages, utility charges, food, depreciation, etc) there is no other alternative but to charge a fee. Any profit generated is reinvested to ensure that future generations can continue to benefit from the same experiences.

We request that the relevant sections be reconstructed to ensure that such entities are still able to fall under the definitions of this Act.

2. Staffing Policies

Whilst we have a preference to hire those who adhere to the same values and principles as those of the organisation, as a Christian Venue that provides hospitality and service, this, at times has proven to be impossible, as we are located away from any large population base. Thus, we believe that the "all or none" approach to employment of faith-aligned staff as is suggested in Explanatory notes 180 and 181, is unworkable. We believe a fairer and more viable approach would be to allow for exemptions to this requirement of "all staff" when and where the ability to select suitably skilled and qualified faith-aligned staff is not practicable. In these circumstances, in order to continue to provide valuable services and to meet our client’s hospitality needs, other staff will ultimately need to be employed, at times.
Whilst we congratulate the government on its desire to provide clarity around this issue, we firmly believe that the changes we have listed above need to be incorporated in order to provide for an outcome which, in all circumstances, will be viable and therefore to the benefit of everyone who will be involved.

Best regards

[Signature]

Frank Seeley AM, DUniv Flin, FAICD
Chairman