



POLITICAL BELIEF, AFFILIATION OR ACTIVITY DISCRIMINATION

Politics is personal.
Vote against
discrimination.

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Celebrating Difference
Embracing Equality



POLITICAL BELIEF, AFFILIATION OR ACTIVITY DISCRIMINATION

It is discrimination when a person is treated unfairly, or is denied the same opportunities as others, because of their political beliefs, affiliation, or activity.

‘Political belief’ refers to a belief or view that has some bearing on issues dealt with by government.

‘Political affiliation’ includes belonging to or identifying with a particular political party, supporting a particular candidate or in some way identifying with a political cause.

‘Political activity’ includes behaviour such as attending a political rally, voting for a particular candidate or distributing leaflets on behalf of a political party. It also includes refusing to engage in political activity or not holding a particular political view or belief.

The law also protects people from being discriminated against because of their association with a person who has a particular political belief or affiliation, or who engages in political activity. This means it would be against the law to refuse to employ a person because, for example, their wife was a candidate for a particular political party, or their brother has been involved in distributing campaign leaflets for a political candidate.

In what situations is political belief, affiliation or activity discrimination against the law?

To be against the law, the discrimination must be related to one of these places or activities:

- Work – whether the work is paid or voluntary
- Training or studying – for example at school, TAFE or university, or workplace training
- Providing or accessing facilities or services
- Buying or selling goods
- Club membership or club-related activities
- Hotels and pubs

- Housing and accommodation – including short-term accommodation such as a hotel or hostel
- Office and other business premises
- The design or implementation of state laws or programs
- Making or implementing industrial awards, enterprise agreements or industrial agreements

Exceptions to the law

In certain circumstances discrimination on the basis of political belief, affiliation or activity is allowed. For example, political parties and electorate offices can require a person to be a member of their political party if they are going to be employed in the party or office.

It is also not against the law to engage, in good faith, in political debate or report fairly on a public action or campaign. (For more information about how exceptions work under the law, see separate brochure: *Discrimination – exceptions to the rules*).

Exemptions

If you think there is a valid reason for doing something that might be discriminatory on the basis of political belief, affiliation or activity, you may apply to the Anti-Discrimination Commissioner for an exemption for that activity (see separate brochure: *Discrimination law – should you be exempt?*).

Do you feel you have been discriminated against on the basis of political belief, affiliation or activity?

If you want to find out more or make a complaint, contact our office. This service is free. We cannot give legal advice, but we can explain how the law works and what it covers. We can also help with writing down a complaint.

The law in action

Johan is active in a local political organisation. His manager does not support his political views and tells him if he continues to be involved with the group she will fire him. Johan believes this is discriminatory and makes a complaint of discrimination on the basis of his political belief and activity.

Vava writes a school essay supporting the legalisation of illicit drugs and makes reference to a political party that has campaigned for this. Her teacher provides a copy of the essay to the principal, who suspends her. Vava believes she is being discriminated against because she has expressed political views and makes a complaint to the Anti-Discrimination Commissioner.

Sid is involved in an environmental group that wants to hold a public meeting at a community hall about a local issue. The manager of the hall refuses to hire it to him because he does not support Sid's views. This may be discrimination on the basis of political belief or activity.