

Local

Business opts out of human rights act

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A CLAUSE that would allow private companies to opt in to the ACT Government's human rights act -- one of the most rigorous in the country and one of several possible models for the proposed federal charter of rights -- has yet to be activated by a single business.

As the debate over a national charter of rights begins to take shape, the president of the ACT Chamber of Commerce, Chris Peters, has warned of the potential for mission creep in the ACT's charter, potentially yielding disastrous consequences for local enterprises.

The ACT is one of two jurisdictions with a charter, the other being Victoria. Of the two, the ACT's is the most wide-ranging. Under amendments to the human rights act that came into force on January 1, individuals may directly petition the ACT Supreme Court if they feel their human rights have been breached by government departments or officials. The court cannot award financial damages but it can issue orders.

The act also applies to charitable organisations acting in a public capacity.

Private companies may choose to be bound by the act, a fall-back position Mr Peters said business negotiated in response to a push to make adherence compulsory.

But Mr Peters, whose organisation represents a disproportionately high number of small- and medium-size enterprises, said he feared future rearguard actions may be doomed to fail.

“That thin end of the wedge issue is a concern,” he said. “But it was a far better outcome that business had the option not to be obliged to comply in the first place. At least we get to fight another day.”