Panel 2: Issues in the Bill

“The Role of the EOC”

Raymond Tang, Chairperson
Equal Opportunities Commission
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Race Discrimination Bill

- Gazette date: 1.12.06
- 1st Reading date: 13.12.06
- Bills Committee formed: 15.12.06 - 6 meetings so far
EOC and the RDB (1)

- Prospective regulator under RDB
- Role of the EOC
- Our experience over the past decade
EOC and the RDB (2)

- Pre-enactment work – liaison, training, etc.
  - Understanding cultural sensitivities
  - Staffing implications
  - Who attends to who – gender sensitivities
  - Communication barrier
EOC and the RDB (3)

- Pre-enactment work – liaison, training, etc.
  - Availability of qualified translators
  - Costs implications
  - Above all, lack of a critical mass – relevance of overseas experience
EOC and the RDB (4)

- Immediate task following enactment
  - Code of practice
  - Essential to be user-friendly
  - Both a regulatory tool and a handy reference for affected sectors
EOC and the RDB (5)

- Similarity between RDB and existing legislation
- Types of discrimination
- Scope of coverage
- Regulatory role – regulatory model
Some issues of concern (1)

- Impact of exceptions on indirect discrimination, e.g. language exception
- Application to Government
- Transferred discrimination – ‘near relatives’ v. ‘associates’
Some issues of concern (2)

- Affirmative action – Is it really such a good idea?
- Need for caution
It’s been a long road …..

- After a decade, at last there is a bill
- Not perfect, but certainly better than no bill
- Room for improvement
- Enactment – not the end of the story
In faith, we go forward together