



Discrimination law and sport

Western Australia

Legislation

[The Equal Opportunity Act](#) was enacted by the Western Australian Parliament in 1984 to eliminate discrimination and sexual and racial harassment and to promote community recognition and acceptance of the equality of people. The role of the Equal Opportunity Commission is to encourage recognition and an understanding of the principles of equal opportunity, and to provide a means of redress to individuals who allege unlawful discrimination.

How does the legislation apply to sport?

In Western Australia sport is an area of public life for the following grounds:

- sex
- pregnancy
- impairment
- age.

For example, in team selection, grading teams and other club activities, coaches and administrators need to be mindful of the potential to discriminate against people because of these personal characteristics.

Further it is unlawful for clubs to discriminate against a person in their membership or provision of goods and services to the general public because of their:

- marital status
- sexual orientation
- race
- religious and political conviction.

For example, refusing or failing to accept a person's application for memberships (on one of the above grounds), unreasonable terms and conditions of membership or denying membership benefits.

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Updated June 2011

The employment area of public life could also be relevant if sporting clubs and association have paid employees. Additional grounds covered are:

- family responsibility/family status
- sexual harassment
- racial harassment.

What do I need to know about the grounds and areas covered?

To be covered by the legislation, the club must be an association, have 30 or more members, use membership funds to maintain the facilities and supply alcohol on the premises.

Volunteers are not covered in regards to employment.

Useful information

When is discrimination permitted?

- Competitive sport where strength, stamina and physique is relevant (sex).
- A competitive sporting activity for members of the sex with which the gender reassigned person identifies and where the person would have a significant advantage (gender history).
- Where a person with an impairment is not adequately capable of performing the particular sporting activity or does not have the required skills and abilities of other participants (impairment).
- Competitive sporting activity where the competition is between people of a particular age (age).

When to lodge a complaint

If you would like to make a complaint about unlawful discrimination or harassment in Western Australia, you should lodge it within 12 months of the events you are complaining about.

Resources

For more information about unlawful discrimination, or if you want to make complaint, contact the [Equal Opportunity Commission](#) on (08) 9216 3900, toll free on 1800 198 149 or TTY (08) 9216 3936 on each week day. Alternatively send an email to eoc@eoc.wa.gov.au or just drop into the office between 9am and 4pm Monday to Friday. Further information is available on our website at www.eoc.wa.gov.au.