



Catholic Commission for Employment Relations

leadership through service to strengthen work relationships

18 March 2004

Acting Director of Legal Services
Human Rights and Equal Opportunity
Commission
PO Box 5218
SYDNEY NSW 2000

Dear Sir

Re: Temporary Exemption Application – Catholic Education Office as an Agency of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney in relation to Proposed Scholarships for Trainee Teachers

I am writing on behalf of the Catholic Education Office, an Agency of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney, ('the CEO') to request an exemption under section 44 of the *Sex Discrimination Act* ('the Act').

The attached document sets out the terms of the exemption application.

The evidence in support of this application is the material that has been provided to the Commission in accordance with our earlier application (and the subsequent proceedings) dated 30 August 2002. However, the CEO also notes that the Commission refers, in paragraph 3.34 of the notice of its decision (dated 27 February 2003) rejecting the original application, to the recommendations of the Joint Standing Committee on Education and Training inquiry into boys' education. This committee recommended in its report (*Boys: Getting it Right*) that an equal number of male and female teacher training scholarships be offered. This is consistent with the Commission's reasons and the CEO submits that the less discriminatory nature of its revised scholarship scheme is more likely to satisfy the test of reasonableness.

The offering of these proposed scholarships will not impact on the scholarships that are currently offered by the CEO.

If the Commission is minded to grant the temporary exemption to cover the matters set out above, the CEO would request that this be done as soon as possible and that the Commission consider the exemption based on the material before it and not invite additional or further public comment. The concerns and issues raised by third parties have been canvassed in relation to the initial

exemption and the Commission will no doubt have regard to those concerns in any deliberation about this application.

I trust that the above information clarifies our request and the basis on which we are seeking an exemption, however, do not hesitate to contact me should you require additional information or clarification on any aspects of this matter.

Yours sincerely

A handwritten signature in black ink that reads "Greg McKay". The signature is written in a cursive style with a large initial "G" and a long, sweeping tail on the "y".

Greg McKay
**On behalf of the Catholic Education
Office, an Agency of the Trustees
of the Roman Catholic Church for
the Archdiocese of Sydney**

Terms of the Exemption

1. The Catholic Education Office, an Agency of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney, seeks an exemption for 5 years pursuant to section 44(1) of the *Sex Discrimination Act (Cth) 1984*, in relation to the operation of sections 21(2)(a) and/or 22(1) of the Act.
2. The temporary exemption would apply to all aspects of advertising and determining eligibility for the scholarships and granting and administration of the scholarships which will be offered on the following basis:
 - (a) 24 additional scholarships of equal value to be offered to HSC students on an annual basis.
 - (b) the scholarship scheme will be advertised in the secondary schools operating within the Archdiocese of Sydney.
 - (c) the scholarship scheme will be open to female and male applicants, but of the 24 scholarships offered 12 scholarships will be offered to male students and 12 offered to female students.
 - (d) the scholarships would provide financial support/incentives to current HSC students to enrol in Primary Teacher training at University for the 2005 academic year and then for new applicants in each of the following 4 years. The scholarship monies would be paid during the first year of the scholarship and it is proposed that recipients would in turn commit to working within Catholic primary schools for a period following completion of their teaching degree.