

30 October 2025

Our ref: 2025-14139

Ms Hanyu Liu

Sent by email: [Helloluna520@gmail.com](mailto:Helloluna520@gmail.com)

Dear Ms Liu

### **Closure of the complaint**

I refer to your complaint on behalf of [REDACTED] lodged with the Australian Human Rights Commission against the Public Transport Authority of Western Australia, alleging disability discrimination under the *Disability Discrimination Act 1992* (Cth) (DDA).

### **We cannot consider this complaint under federal discrimination law**

Section 13 of the DDA (copy enclosed) says that a person cannot make a complaint under federal discrimination law if:

- they have made a complaint about the same subject matter under state or territory discrimination law, and
- the complaint can be dealt with under that law.

You have advised that on 24 October 2025 you made the same complaint to the WA Equal Opportunity Commission under WA discrimination law, which was accepted on 29 October 2025.

Nothing before us shows that you cannot pursue your complaint under WA discrimination law.

This means, you cannot make a valid complaint to us under federal discrimination law because section 13 of the DDA applies.

Kind regards

  


**Senior Executive  
Investigation and Conciliation Service**

## ***DISABILITY DISCRIMINATION ACT 1992 (Cth)***

### **Section 13 - Operation of State and Territory laws**

(1) A reference in this section to this Act is a reference to this Act as it has effect because of a provision of section 12.

(2) A reference in this section to a law of a State or Territory is a reference to a law of a State or Territory that deals with discrimination on the grounds of disability.

(3) This Act is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with this Act.

(3A) Subsection (3) does not apply in relation to Division 2A of Part 2 (Disability standards).

(4) If:

(a) a law of a State or Territory relating to discrimination deals with a matter dealt with by this Act (including a matter dealt with by a disability standard); and

(b) a person has made a complaint or initiated a proceeding under that law in respect of an act or omission in respect of which the person would, apart from this subsection, have been entitled to make a complaint under the *Australian Human Rights Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part 2 of this Act;

the person is not entitled to make a complaint or institute a proceeding under the *Australian Human Rights Commission Act 1986* alleging that the act or omission is unlawful under a provision of Part 2 of this Act.

(5) If:

(a) a law of a State or Territory deals with a matter dealt with by this Act (including a matter dealt with by a disability standard); and

(b) an act or omission by a person that constitutes an offence against that law also constitutes an offence against this Act;

the person may be prosecuted and convicted either under that law of the State or Territory or under this Act, but nothing in this subsection renders a person liable to be punished more than once in respect of the same act or omission.