

Committee Secretary  
Senate Legal and Constitutional Committee  
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Canberra ACT 2600  
Australia

**Submission to the Senate Legal and Constitutional Affairs Legislation Committee's Inquiry into the Sex and Age Discrimination Legislation Amendment Bill 2010**

National Seniors Australia (NSA) is pleased to provide the following comments relating to the *Sex and Age Discrimination Legislation Amendment Bill 2010* which proposes amendments to the *Age Discrimination Act 2004*, and the consequential amendments made to the *Australian Human Rights Commission Act 1986* and the *Fair Work Act 2009*.

By way of background, NSA is the country's largest organisation representing the over 50s, with over a quarter of a million members Australia-wide. This broad-based support enables NSA to provide a well-informed and representative voice on issues of concern for people aged 50 and over.

Specifically, NSA strongly supports the proposal to formally establish the position of a dedicated Age Discrimination Commissioner in the Australian Human Rights Commission as it believes that the creation of this position is vitally important to ensuring that the barriers preventing older people from participating in society, and the workplace in particular, are being removed and age equality is promoted. NSA believes that the proposed position will significantly contribute to raising the visibility of age discrimination as a critical issue in our society.

This is especially important when there is evidence of a growing age discrimination problem in this country. According to the Australian Human Rights Commission's 2009-10 Annual Report, complaints received under the *Age Discrimination Act 2004* jumped by 15% in the most recent twelve month period albeit from a small base, and has reached the highest total in the last five years.

As stated in our *Seniors Vote 2010* document in the lead-up to the Federal Election earlier this year, national leadership is required in the debate surrounding the place of older Australians in the community. There is a need to debunk the myths and misconceptions but also a role for affirmative action that recognises the contribution and value older Australians bring to society.

We believe that the appointment of a dedicated Age Discrimination Commissioner, as well as institutional legislative mechanisms to protect people from ageism and aged-based discrimination, is an important step to eliminating stereotypes of older people that are unfair and inaccurate.

We are concerned, however, that the proposal to establish the position of a dedicated Age Discrimination Commissioner is appropriately resourced to achieve its identified objectives. We note that the estimated expense of \$2.1 million over three years from 2011-12 is attributable to personnel costs only.

We believe that additional funding will be required if the Age Discrimination Commissioner is to work effectively with the community and industry to combat the attitudes and stereotypes that contribute to age discrimination.

NSA believes that these amendments are long overdue and is pleased to see that the Government not only honours its election commitment but has sought to introduce amendments to the current legislation to establish a dedicated Age Discrimination Commissioner position in the Australian Human Rights Commission at the earliest opportunity.

Yours sincerely,

**Michael O'Neill**  
**Chief Executive**

2 November 2010