



Professor Gillian Trigg
The President
Australian Human Rights Commission
GPO Box 5218
SYDNEY NSW 2001

Dear President,

Re: Application for Extension to Age Discrimination Exemption Granted to Carnival plc

I refer to your letter inviting submissions in relation to Carnival plc's (Carnival) request for a 2.5 year extension to the age discrimination exemption that was granted at the end of 2010 and was due to expire on 22 June 2013.

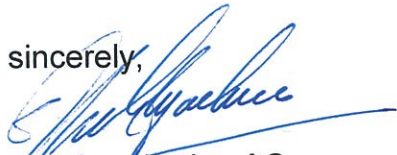
In February 2011 the Board raised a number of concerns regarding the age discrimination exemption that was granted to Carnival. In the Board's last correspondence, it requested clarification of the 19 years of age restriction being imposed by Carnival. In the Board's view, the 19 years old age restriction was discriminatory towards people of a particular age group, whether they are accompanied by a responsible person or not. The current application appears to be in identical terms as the 2010 exemption.

The Board's main concern remains that the exemption appears to be inconsistent with the purposes of the *Age Discrimination Act 2004*, as the age restriction does not provide a bona fide benefit to persons of a particular age; nor does the age restriction intend to meet a need that arises out of the age of a person; and it is not intended to reduce disadvantage experienced by people of a particular age.

Further as the Board noted in 2011, by granting the exemption there are other potential areas of discrimination as a result of granting an exemption. The Board believes that the restrictions in Carnival's exemption and the application of the restrictions at the sole discretion of Carnival, leaves open the potential

of discrimination under other, no less important, grounds. This observation is based on the substance of a number of complaints the Board receives from young people who have been refused admission into licensed premises.

Yours sincerely,



Stepan Kerkyasharian AO

President

Anti-Discrimination Board of New South Wales

Dated:

5 August 2013