



## NEWS REPORT

<b>Update of flash report nr:</b>	325-SE-14
<b>Date:</b>	30 August 2010
<b>Expert:</b>	Per Norberg
<b>Title:</b>	Age discrimination suggested to be extended to new areas
<b>Country:</b>	Sweden
<b>Context</b>	
<b>Issue at stake:</b>	Protection against age discrimination suggested to apply to more areas.
<b>Ground of discrimination:</b>	Age
<b>Source:</b>	Governmental preparation for possible future legislation
<b>Field:</b>	Access to goods and services, including housing, health care and social services, social security, employment
<b>Legislative provisions:</b>	The second Chapter of the Discrimination Act

### Content

**Political development:** A Swedish governmental report, titled An Extended Protection of Age Discrimination,<sup>1</sup> contains well researched proposals of possible new legislation. The Government has, at this stage, not committed itself to the proposal. It suggests that Chapter Two of the Discrimination Act (2008:587) should be changed. Age discrimination should from 1 January 2012 onwards be prohibited in the following areas:

- Goods, services, housing and meetings or public events (Section 12).
- Health and medical care and social services, (Section 13).
- Social insurance system, unemployment insurance and financial aid for studies, (Section 14).
- Public employment, Section 17.
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Direct age discrimination will in all the new areas (except public employment) be possible subject to a proportionality test. This test requires a legitimate purpose and means which are appropriate and necessary to achieve this purpose. Furthermore there are only two special exceptions where age discrimination will be expressly allowed in the new areas without a proportionality test, namely the insurance sector and for car allowances.

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<sup>1</sup> SOU 2010:60



The suggested changes to the Discrimination Act will anticipate the arrival of the proposed Council Directive<sup>2</sup> on implementing the principle of equal treatment irrespective of religion or belief, disability, age or sexual orientation outside the field of employment, and further implement the Directive into national legislation. It is very likely that the government will proceed further with the proposed legislation.

**Internet link source and additional information:**

<http://www.regeringen.se/content/1/c6/15/12/01/d67f9b42.pdf>

There is an English summary in pages 19 to 27.

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<sup>2</sup> COM (2008) 426 final