

CHAPTER 19

R.S.B.C. 1960,
c. 137.**An Act to Amend the Fair Employment Practices Act**

[Assented to 20th March, 1964.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

- Short title.** 1. This Act may be cited as the *Fair Employment Practices Act Amendment Act, 1964*.
- Re-enacts s. 3.** 2. Section 3 of the *Fair Employment Practices Act*, being chapter 137 of the *Revised Statutes of British Columbia, 1960*, is repealed and the following substituted:—
- Discrimination by employer prohibited.** “3. No employer shall refuse to employ or refuse to continue to employ any person, or discriminate against any person in regard to employment or any term or condition of employment, because of
- “(a) race, religion, colour, nationality, ancestry, or place of origin; or
- “(b) age, if the person has attained the age of forty-five years and has not attained the age of sixty-five years.”
- Re-enacts s. 4.** 3. Section 4 is repealed and the following substituted:—
- Discrimination by trade-union prohibited.** “4. No trade-union shall exclude from membership or expel or suspend any person or member, or discriminate against any person or member, because of
- “(a) race, religion, colour, nationality, ancestry, or place of origin; or
- “(b) age, if the person or member has attained the age of forty-five years and has not attained the age of sixty-five years.”
- Re-enacts s. 5.** 4. Section 5 is repealed and the following substituted:—
- Publications and inquiries.** “5. (1) No person shall use or circulate any form of application for employment, or publish any advertisement in connection with employment, or make any written or oral inquiry in connection with employment which expresses, either directly or indirectly,
- “(a) any limitation, specification, or preference as to the race, religion, colour, nationality, ancestry, or place of origin of any person; or
- “(b) any intent to
- “(i) dismiss from employment; or
- “(ii) refuse to employ or rehire; or
- “(iii) discriminate against

any person because of age, if the person has attained the age of forty-five years and has not attained the age of sixty-five years.

“(2) Subsection (1) does not apply to the expression of a limitation, specification, or preference based on a bona fide occupational qualification.”

Enacts s. 5A.

5. The Act is further amended by inserting the following as section 5A:—

“5A. The provisions of sections 3, 4, and 5 as to age shall not apply to

“(a) termination of employment because of the terms or conditions of any bona fide retirement or pension plan;

“(b) operation of the terms or conditions of any bona fide retirement or pension plan which have the effect of a minimum service requirement;

“(c) operation of the terms or conditions of any bona fide group or employee insurance plan.”