

CHAPTER 62

AN ACT TO AMEND THE NEWFOUNDLAND  
HUMAN RIGHTS CODE

(Assented to December 21, 1983)

Analysis

Section:

1. S.2(f.1) Added.  
Definition
2. S.8.1 Added.  
Harassment of occupant  
prohibited
3. Sections Added.

Section:

- 10.1 Harassment in  
establishment  
prohibited
- 10.2 Sexual solicitat-  
ion prohibited
4. S.15.1 Added.  
Special programs

Be it enacted by the Lieutenant-Governor and House of Assembly  
in Legislative Session convened, as follows:

RSN 1970 c. 262  
as amended

1. Section 2 of The Newfoundland Human Rights Code is amended by adding immediately after paragraph (f) the following:

"(f.1) "harass" means to engage in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome;"

2. The said Act is amended by adding immediately after section 8 the following:

Harassment  
of occupant  
prohibited

"8.1 No person, directly or indirectly, alone or with another, by himself or by the interposition of another shall harass any person or class of persons

who is an occupant of a commercial unit or a self-contained dwelling unit because of the race, religion, religious creed, sex, marital status, physical disability, political opinion, colour or ethnic, national or social origin of that person or class of persons. "

3. The said Act is amended by adding immediately after section 10 the following:

Harassment  
in establishment  
prohibited

"10.1 No person in an establishment shall harass another person in the establishment because of the race, religion, religious creed, sex, marital status, physical disability, political opinion, colour or ethnic, national or social origin of that person.

Sexual sollicita-  
tion prohibited

10.2(1) No person who is in a position to confer, grant or deny a benefit or advancement to another person shall engage in sexual sollicitation or make a sexual advance to that person where the person making the sollicitation or advance knows or ought reasonably to know that it is unwelcome.

(2) No person who is in a position to confer or deny a benefit or advancement to another person shall penalize, punish or threaten reprisal against that person for the rejection of a sexual sollicitation or advance."

4. The said Act is amended by adding immediately after section 15 the following:

Special  
programs

"15.1(1) On the application of any person the Commission may approve programs designed to prevent, reduce or eliminate disadvantages respecting services, facilities, accommodation or employment that may be or are suffered by any group of individuals where those disad-

vantages would be, or are based on or related to the race, religion, religious creed, sex, marital status, physical disability, political opinion, colour, ethnic, national or social origin of members of that group.

(2) At any time before or after approval to a program is given by the Commission the Commission may

- (a) make inquiries concerning the program;
- (b) vary the program;
- (c) impose conditions on the program; or
- (d) withdraw approval of the program as it thinks fit.

(3) Nothing done in accordance with a program approved pursuant to this section is a violation of the provisions of this Act."

CHAPTER 63

AN ACT RESPECTING DEFAMATION

(Assented to December 21, 1983)

Analysis

Section:

1. Short title
2. Definitions
3. Presumption of damage
4. Allegations of plaintiff
5. Apology
6. Payment into court
7. Place of trial
8. General or special verdict
9. Consolidation of actions
10. Damages
11. Fair comment
12. Privileged publications & reports
13. Court proceedings privileged

Section:

14. Application of ss. 12 & 13
15. Application of ss. 16 to 20
16. Notice of action
17. Limitation of actions
18. Evidence
19. Special damages only
20. Non-application of ss. 16, 17 & 19
21. 1980 c.41 Amdt.
22. RSN 1970 c. 272 Amdt.
23. RSN 1970 c. 352 Rep.
24. Commencement

Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:

Short title

1. This Act may be cited as The Defamation Act.

Definitions

2. In this Act
  - (a) "broadcasting" means the dissemination of writing, signs, signals, pictures and sounds of all kinds, intended to be received by the public either directly or through the medium of relay stations, by means of,