

CHAPTER 50

An Act Respecting Public Accommodation Practices

[Assented to 27th March, 1961.]

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 *Public Accommodation Practices Act*.
- Interpretation.** 2. In this Act, unless the context otherwise requires,
 “Board” means the Board of Industrial Relations constituted under the *Male Minimum Wage Act*;
 “Director” means the officer of the Department of Labour designated by the Minister to receive and deal with complaints under this Act;
 “Minister” means the Minister of Labour.
- Discrimination prohibited.** 3. No person shall deny to any person or class of persons the accommodation, services, or facilities available to the public in any place to which the public is customarily admitted because of the race, religion, colour, nationality, ancestry, or place of origin of such person or class of persons.
- Publishing or displaying discriminatory signs, etc., prohibited.** 4. (1) No person shall
 (a) publish or display, or cause to be published or displayed; or
 (b) permit to be published or displayed on lands or premises or in a newspaper, through a television or radio-broadcasting station, or by means of any other medium which he owns or controls,
 any notice, sign, symbol, emblem, or other representation indicating discrimination or an intention to discriminate against any person or any class of persons for any purpose because of the race, religion, colour, nationality, ancestry, or place of origin of that person or class of persons.
 (2) Nothing in this section shall be deemed to interfere with the free expression of opinions upon any subject by speech or in writing.
- Free speech not affected.**
- Action on complaints.** 5. (1) The Director may designate an officer of the Department of Labour to inquire into the complaint of any person that a contravention of this Act has taken place.
 (2) Every complaint shall be in writing on the form prescribed by the Director, and shall be mailed or delivered to him at his office.
- Form of complaint.**
 (3) The officer shall inquire into the complaint and endeavour to effect a settlement of the matter complained of, and shall report the results of his inquiry and endeavours to the Director.
- Inquiry and report.**

- Reference to Board.** **6. (1)** If the officer designated under section 5 is unable to effect a settlement of the matter complained of, the Director may refer the matter to the Board, and no order shall be made or process entered into or proceedings taken in any Court, whether by way of injunction, declaratory judgment, certiorari, mandamus, prohibition, quo warranto, or otherwise, to question the appointment of the Board, or to review, prohibit, or restrain any of its proceedings.
- No proceedings by way of mandamus, etc.**
- Powers.** (2) The Board and each member thereof has the powers of a Commissioner under the *Public Inquiries Act*.
- Delegation of powers.** (3) The Board may delegate to one or more of its members any of the functions or duties of the Board.
- Submission of evidence.** (4) The Board shall give the parties full opportunity to present evidence and to make submissions; and if it finds that the complaint is supported by the evidence, it shall recommend to the Director the course that ought to be taken with respect to the complaint.
- Clarification of recommendations.** (5) After the Board has made its recommendations, the Director may direct it to clarify or amplify any of its recommendations, and they shall not be deemed to have been received by the Director until they have been so clarified or amplified.
- Minister's order final.** (6) The Minister, on the recommendation of the Director, may issue such order as he deems necessary to carry the recommendations of the Board into effect, and the order is final and shall be complied with in accordance with its terms.
- Penalty for offence.** **7.** Every person who fails to comply with any provision of this Act, or with any order made under this Act, is guilty of an offence and liable, on summary conviction, to a fine not exceeding one hundred dollars.
- Consent to prosecution.** **8.** No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Minister.
- Injunction proceedings.** **9. (1)** Where a person has been convicted of a violation of section 3, the Minister may apply by way of originating notice to a Judge of the Supreme Court for an order enjoining such person from continuing such violation.
- Idem.** (2) The Judge in his discretion may make such order, and the order may be enforced in the same manner as any other order or judgment of the Supreme Court.