

# 1947

## CHAPTER 35

### An Act to protect Certain Civil Rights.

[Assented to April 1, 1947.]

**H**IS Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

1. This Act may be cited as *The Saskatchewan Bill of Rights Act, 1947*. Short title
2. In this Act the expression "creed" means religious creed. Interpretation, "creed"
3. Every person and every class of persons shall enjoy the right to freedom of conscience, opinion and belief, and freedom of religious association, teaching, practice and worship. Right to freedom of conscience
4. Every person and every class of persons shall, under the law, enjoy the right to freedom of expression through all means of communication, including speech, the press, radio and the arts. Right to free expression
5. Every person and every class of persons shall enjoy the right to peaceable assembly with others and to form with others associations of any character under the law. Right to free association
6. Every person and every class of persons shall enjoy the right to freedom from arbitrary arrest or detention, and every person who is arrested or detained shall enjoy the right to an immediate judicial determination of the legality of his detention and to notice of the charges on which he is detained. Right to freedom from arbitrary imprisonment
7. Every qualified voter resident in Saskatchewan shall enjoy the right to exercise freely his franchise in all elections and shall possess the right to require that no Legislative Assembly shall continue for a period in excess of five years. Right to elections

Right to  
employment

**8.—(1)** Every person and every class of persons shall enjoy the right to obtain and retain employment without discrimination with respect to the compensation, terms, conditions or privileges of employment because of the race, creed, religion, colour or ethnic or national origin of such person or class of persons.

(2) Nothing in subsection (1) shall deprive a religious institution or any school or board of trustees thereof of the right to employ persons of any particular creed or religion where religious instruction forms or can form the whole or part of the instruction or training provided by such institution, or by such school or board of trustees pursuant to the provisions of *The School Act*, and nothing in subsection (1) shall apply with respect to domestic service or employment involving a personal relationship.

Right to  
engage in  
occupations

**9.** Every person and every class of persons shall enjoy the right to engage in and carry on any occupation, business or enterprise under the law without discrimination because of the race, creed, religion, colour or ethnic or national origin of such person or class of persons.

Right to own  
and occupy  
property

**10.** Every person and every class of persons shall enjoy the right to acquire by purchase, to own in fee simple or otherwise, to lease, rent and to occupy any lands, messuages, tenements or hereditaments, corporeal or incorporeal, of every nature and description, and every estate or interest therein, whether legal or equitable, without discrimination because of the race, creed, religion, colour or ethnic or national origin of such person or class of persons.

Right of  
access to  
public places

**11.** Every person and every class of persons shall enjoy the right to obtain the accommodation or facilities of any standard or other hotel, victualling house, theatre or other place to which the public is customarily admitted, regardless of the race, creed, religion, colour or ethnic or national origin of such persons or class of persons.

Right to  
membership in  
professional  
and trade  
associations

**12.** Every person and every class of persons shall enjoy the right to membership in and all of the benefits appertaining to membership in every professional society, trade union or other occupational organization without discrimination because of the race, creed, religion, colour or ethnic or national origin of such person or class of persons.

Right to  
education

**13.—(1)** Every person and every class of persons shall enjoy the right to education in any school, college,

university or other institution or place of learning, vocational training or apprenticeship without discrimination because of the race, creed, religion, colour or ethnic or national origin of such person or class of persons.

(2) Nothing in subsection (1) shall prevent a school, college, university or other institution or place of learning which enrolls persons of a particular creed or religion exclusively, or which is conducted by a religious order or society, from continuing its policy with respect to such enrolment.

**14.**—(1) No person shall publish, display or cause <sup>Prohibitions</sup> or permit to be published or displayed on any lands or <sup>against</sup> premises or in any newspaper, through any radio broad- <sup>publications</sup> casting station, or by means of any other medium which he owns, controls, distributes or sells, any notice, sign, symbol, emblem or other representation tending or likely to tend to deprive, abridge or otherwise restrict, because of the race, creed, religion, colour or ethnic or national origin of any person or class of persons, the enjoyment by any such person or class of persons of any right to which he or it is entitled under the law.

(2) Nothing in subsection (1) shall be construed as restricting the right to freedom of speech under the law, upon any subject.

**15.**—(1) Every person who deprives, abridges, or <sup>Penalties</sup> otherwise restricts or attempts to deprive, abridge or otherwise restrict any person or class of persons in the enjoyment of any right under this Act or who contravenes any provision thereof shall be guilty of an offence and liable on summary conviction to a fine of not less than \$25 nor more than \$50 for the first offence, and not less than \$50 nor more than \$200 for a subsequent offence, and in default of payment to imprisonment for not more than three months.

(2) The penalties provided by this section may be enforced upon the information of any person alleging on behalf of himself or of any class of persons that any right which he or any class of persons or any member of any such class of persons is entitled to enjoy under this Act has been denied, abridged or restricted because of the race, creed, religion, colour, ethnic or national origin of himself, or of any such class of persons or of any member of any such class of persons.

**16.** Every person who deprives, abridges or other- <sup>Injunction</sup> wise restricts or attempts to deprive, abridge or other- wise restrict any person or class of persons in the

enjoyment of any right under this Act may be restrained by an injunction issued in an action in the Court of King's Bench brought by any person against the person responsible for such deprivation, abridgment or other restriction, or any attempt thereat.

The Crown  
bound

**17.** The provisions of this Act shall bind the Crown and every servant and agent of the Crown, and application for relief may be made without complying with the provisions of *The Petition of Right Act*.

Construction  
of Act

**18.** Except as herein expressly provided nothing in this Act shall be construed as derogating from any right, freedom or liberty to which any person or class of persons is entitled under the law.

Coming into  
force

**19.** This Act shall come into force on the first day of May, 1947.