

Ontario and Canada Mask Exemptions

Discrimination Penalties and fines – December 03, 2020

Other criminal charges within the Criminal Code of Canada

- Offences against children — 718.01 When a court imposes a sentence for an offence that involved the abuse of a person under the age of eighteen years, it shall give primary consideration to the objectives of denunciation and deterrence of such conduct. 2005, c. 32, s. 24.
- Offence against vulnerable person — 718.04 When a court imposes a sentence for an offence that involved the abuse of a person who is vulnerable because of personal circumstances — including because the person is Aboriginal and female — the court shall give primary consideration to the objectives of denunciation and deterrence of the conduct that forms the basis of the offence. 2019, c. 25, s. 292.1.

Corporate Policies or practice do not override National, Provincial and International Human Rights of Canadians

Mask exemptions neglected by corporate policies: discrimination and refusal or lack of accommodation resulting in civil tort litigation resulting of criminal offenses against Canadians by the provinces, Municipalities and by public and private service health care and Business Corporations and retailers, etc.

1. Canadian Charter of Rights and Freedoms
2. Canadian Human Rights Act
3. Genetic Non-Discrimination Act
4. Criminal Code of Canada Act
5. Canada Labour Code Act
6. Human Rights Code, R.S.O. 1990, c. H.19
7. Accessibility for Ontarians with Disabilities Act

Discrimination Protection Laws: civil and criminal liability under the Acts

- Accessibility for Ontarians with Disabilities Act, 2005

PART I INTERPRETATION

Purpose

1. Recognizing the history of discrimination against persons with disabilities in Ontario, the purpose of this Act is to benefit all Ontarians by,

- (a) developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025; and
- (b) providing for the involvement of persons with disabilities, of the Government of Ontario and of representatives of industries and of various sectors of the economy in the development of the accessibility standards. 2005, c. 11, s. 1.

Definitions

2. In this Act,

“accessibility standard” means an accessibility standard made by regulation under section 6; (“norme d’accessibilité”)

“barrier” means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice; (“obstacle”)

“director” means a director appointed under section 30; (“directeur”)

“disability” means,

(a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

(b) a condition of mental impairment or a developmental disability,

© a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

(d) a mental disorder, or

© an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”)

“**Minister**” means the Minister of Citizenship and Immigration or whatever other member of the Executive Council to whom the administration of this Act is assigned under the *Executive Council Act*; (“rescrip”)

“**organization**” means any organization in the public or private sector and includes,

(a) the Government of Ontario and any board, commission, authority or other agency of the Government of Ontario,

(b) any agency, board, commission, authority, **corporation** or other entity established under an Act,

© **a municipality**, an association, a partnership and a trade union, or

(d) any other prescribed type of entity; (“organisation”)

“prescribed” means prescribed by regulation; (“rescript”)

“regulations” means the regulations made under this Act, unless the context indicates or requires otherwise; (“règlements”)

“Tribunal” means, with respect to an appeal of an order made by a director under this Act, the tribunal designated by the Lieutenant Governor in Council under section 26 for the purposes of hearing that appeal. (“Tribunal”) 2005, c. 11, s. 2; 2009, c. 33, Sched. 8, s. 1.

Section Amendments with date in force (d/m/y)

Recognition of existing legal obligations

3. Nothing in this Act or in the regulations diminishes in any way the legal obligations of the Government of Ontario or of any person or organization with respect to persons with disabilities that are imposed under any other Act or otherwise imposed by law. 2005, c. 11, s. 3.

PART II APPLICATION

Application

4. **This Act applies to every person or organization in the public and private sectors** of the Province of Ontario, including the Legislative Assembly of Ontario. 2005, c. 11, s. 4.

Crown bound

5. This Act binds the Crown. 2005, c. 11, s. 5.

Several applicable standards

(5) A person or organization may be subject to more than one accessibility standard. 2005, c. 11, s. 6 (5).

Content of standards

(6) An accessibility standard shall,

(a) set out measures, policies, practices or other requirements for the identification and removal of barriers with respect to goods, services, facilities, accommodation, employment, buildings, structures, premises or such other things as may be prescribed, and for the prevention of the erection of such barriers; and

(b) require the persons or organizations named or described in the standard to implement those measures, policies, practices or other requirements within the time periods specified in the standard. 2005, c. 11, s. 6 (6).

Classes

(7) An accessibility standard may create different classes of persons or organizations or of buildings, structures or premises and, without limiting the generality of this power, may create classes with respect to any attribute, quality or characteristic or any combination of those items, including,

(a) the number of persons employed by persons or organizations or their annual revenue;

(b) the type of industry in which persons or organizations are engaged or the sector of the economy of which persons or organizations are a part;

(c) the size of buildings, structures or premises. 2005, c. 11, s. 6 (7).

Penalties

(3) Every person who is guilty of an offence under this Act is liable on conviction,

(a) to a fine of not more than \$50,000 for each day or part of a day on which the offence occurs or continues to occur; or

(b) if the person is a corporation, to a fine of not more than \$100,000 for each day or part of a day on which the offence occurs or continues to occur. 2005, c. 11, s. 37 (3).

Duty of director or officer

(4) Every director or officer of a corporation has a duty to take all reasonable care to prevent the corporation from committing an offence under this section. 2005, c. 11, s. 37 (4).

Offence

(5) Every director or officer of a corporation who has a duty under subsection (4) and who fails to carry out that duty is guilty of an offence and on conviction is liable to a fine of not more than

\$50,000 for each day or part of a day on which the offence occurs or continues to occur. 2005, c. 11, s. 37 (5).

Conflict

38. If a provision of this Act, of an accessibility standard or of any other regulation conflicts with a provision of any other Act or regulation, the provision that provides the highest level of accessibility for persons with disabilities with respect to goods, services, facilities, employment, accommodation, buildings, structures or premises shall prevail. 2005, c. 11, s. 38.

See:

<https://www.ontario.ca/laws/statute/90h19#BK19>

<https://www.ontario.ca/laws/statute/05a11>

<https://laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html>

<https://laws-lois.justice.gc.ca/eng/acts/G-2.5/page-1.html#h-247344>

<https://laws-lois.justice.gc.ca/eng/acts/C-46/index.html>

<https://laws-lois.justice.gc.ca/eng/acts/h-6/index.html>

<https://laws-lois.justice.gc.ca/eng/Const/page-15.html>

<https://www.genome.gov/about-genomics/fact-sheets/Polymerase-Chain-Reaction-Fact-Sheet>

Genetic Non-Discrimination Act (S.C. (Statutes of Canada) 2017, c. 3)

Act current to 2020-11-17

Genetic Non-Discrimination Act**S.C. (Statutes of Canada) 2017, c. 3**

Assented to 2017-05-04

An Act to prohibit and prevent genetic discrimination

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short Title

Short title

1 This Act may be cited as the *Genetic Non-Discrimination Act*.

Interpretation

Definitions

2 The following definitions apply in this Act.

disclose includes to authorize disclosure. (*communiquer*)

genetic test means a test that analyzes DNA, RNA or chromosomes for purposes such as the prediction of disease or vertical transmission risks, or monitoring, diagnosis or prognosis. (*test génétique*)

health care practitioner means a person lawfully entitled under the law of a province to provide health services in the place in which the services are provided by that person. (*professionnel de la santé*)

Prohibitions

Genetic test

3 (1) It is prohibited for any person to require an individual to undergo a genetic test as a condition of

(a) providing goods or services to that individual;

(b) entering into or continuing a contract or agreement with that individual; or

(c) offering or continuing specific terms or conditions in a contract or agreement with that individual.

Refusal to undergo genetic test

(2) It is prohibited for any person to refuse to engage in an activity described in any of paragraphs (1)(a) to (c) in respect of an individual on the grounds that the individual has refused to undergo a genetic test.

Disclosure of results

4 (1) It is prohibited for any person to require an individual to disclose the results of a genetic test as a condition of engaging in an activity described in any of paragraphs 3(1)(a) to (c).

Refusal to disclose results

(2) It is prohibited for any person to refuse to engage in an activity described in any of paragraphs 3(1)(a) to (c) in respect of an individual on the grounds that the individual has refused to disclose the results of a genetic test.

Written consent

5 It is prohibited for any person who is engaged in an activity described in any of paragraphs 3(1)(a) to (c) in respect of an individual to collect, use or disclose the results of a genetic test of the individual without the individual's written consent.

Exceptions: health care practitioners and researchers

6 Sections 3 to 5 do not apply to

(a) a physician, a pharmacist or any other health care practitioner in respect of an individual to whom they are providing health services; or

(b) a person who is conducting medical, pharmaceutical or scientific research in respect of an individual who is a participant in the research.

Offences and Punishment

Contravention of sections 3 to 5

7 Every person who contravenes any of sections 3 to 5 is guilty of an offence and is liable

(a) on conviction on indictment, to a fine not exceeding \$1,000,000 or to imprisonment for a term not exceeding five years, or to both; or

(b) on summary conviction, to a fine not exceeding \$300,000 or to imprisonment for a term not exceeding twelve months, or to both.

Canada Labour Code

8 [Amendment]

Canadian Human Rights Act

9 [Amendment]

10 [Amendments]

Coordinating Amendments

11 [Amendments]

Date modified:

2020-11-27

Interpretation

Definitions

2 The following definitions apply in this Act.

disclose includes to authorize disclosure. (communiquer) genetic test means a test that analyzes DNA, RNA or chromosomes for purposes such as the prediction of disease or vertical transmission risks, or monitoring, diagnosis or prognosis. (test génétique)

health care practitioner means a person lawfully entitled under the law of a province to provide health services in the place in which the services are provided by that person. (professionnel de la santé)

<https://laws-lois.justice.gc.ca/PDF/G-2.5.pdf>

1. [Home](#)
2. [About Genomics](#)
3. [Educational Resources](#)
4. [Fact Sheets about Genomics](#)
Polymerase

Polymerase Chain Reaction (PCR) Fact Sheet

Polymerase chain reaction (PCR) is a technique used to "amplify" small segments of DNA.

What is PCR?

Sometimes called "molecular photocopying," the polymerase chain reaction (PCR) is a fast and inexpensive technique used to "amplify" - copy - small segments of DNA. Because significant amounts of a sample of DNA are necessary for molecular and genetic analyses, studies of isolated pieces of DNA are nearly impossible without PCR amplification.

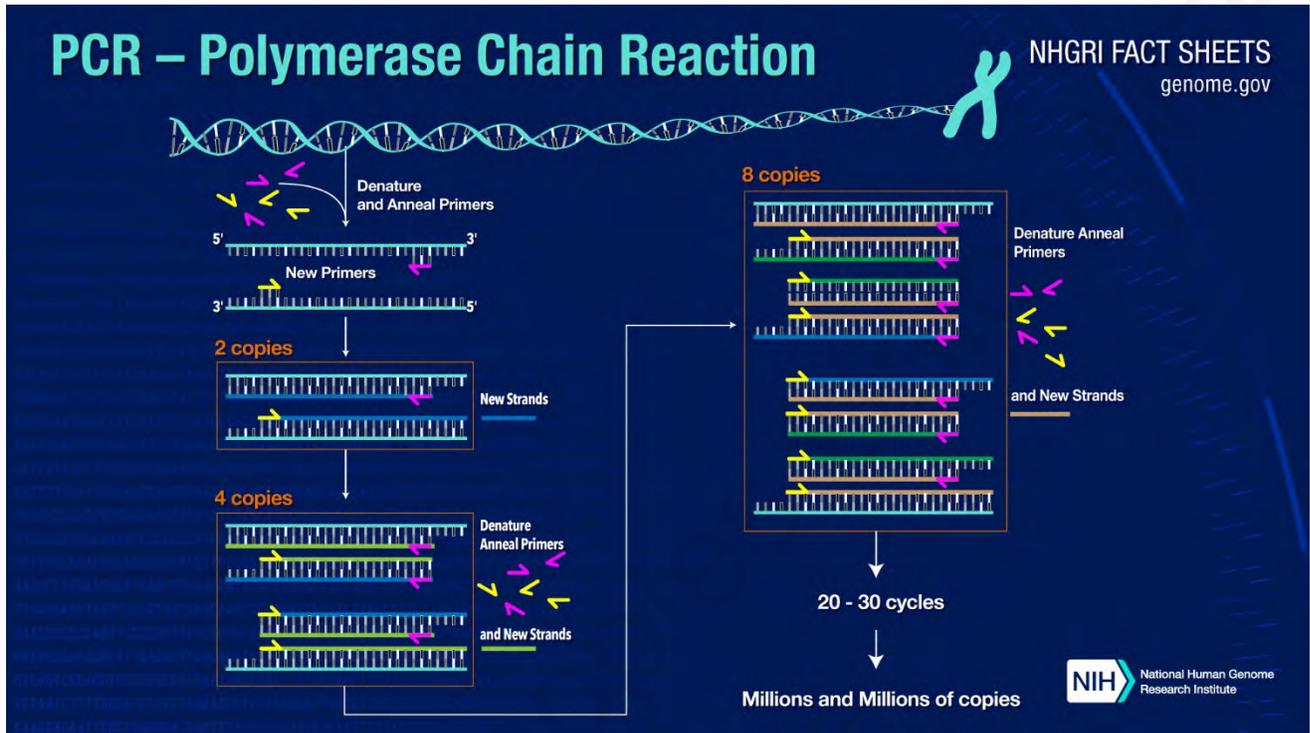
Often heralded as one of the most important scientific advances in molecular biology, PCR revolutionized the study of DNA to such an extent that its creator, Kary B. Mullis, was awarded the Nobel Prize for Chemistry in 1993.

What is PCR used for?

Once amplified, the DNA produced by PCR can be used in many different laboratory procedures. For example, most mapping techniques in the Human Genome Project (HGP) relied on PCR.

PCR is also valuable in a number of laboratory and clinical techniques, including DNA

fingerprinting, detection of bacteria or viruses (particularly AIDS), and diagnosis of genetic disorders.



How does PCR work?

To amplify a segment of DNA using PCR, the sample is first heated so the DNA denatures, or separates into two pieces of single-stranded DNA. Next, an enzyme called "Taq polymerase" synthesizes - builds - two new strands of DNA, using the original strands as templates. This process results in the duplication of the original DNA, with each of the new molecules containing one old and one new strand of DNA. Then each of these strands can be used to create two new copies, and so on, and so on. The cycle of denaturing and synthesizing new DNA is repeated as many as 30 or 40 times, leading to more than one billion exact copies of the original DNA segment.

The entire cycling process of PCR is automated and can be completed in just a few hours. It is

directed by a machine called a thermocycler, which is programmed to alter the temperature of the reaction every few minutes to allow DNA denaturing and synthesis.

Last updated: August 17, 2020

Canadian Peoples Union NFP

Using Probe	Probe Tools	Other Resources	
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COVID-19 is an emerging, rapidly evolving situation.
 Get the latest public health information from CDC: <https://www.coronavirus.gov>.
 Get the latest research from NIH: <https://www.nih.gov/coronavirus>.
 Find NCBI SARS-CoV-2 literature, sequence, and clinical content: <https://www.ncbi.nlm.nih.gov/sars-cov-2/>.

Polymerase Chain Reaction (PCR)

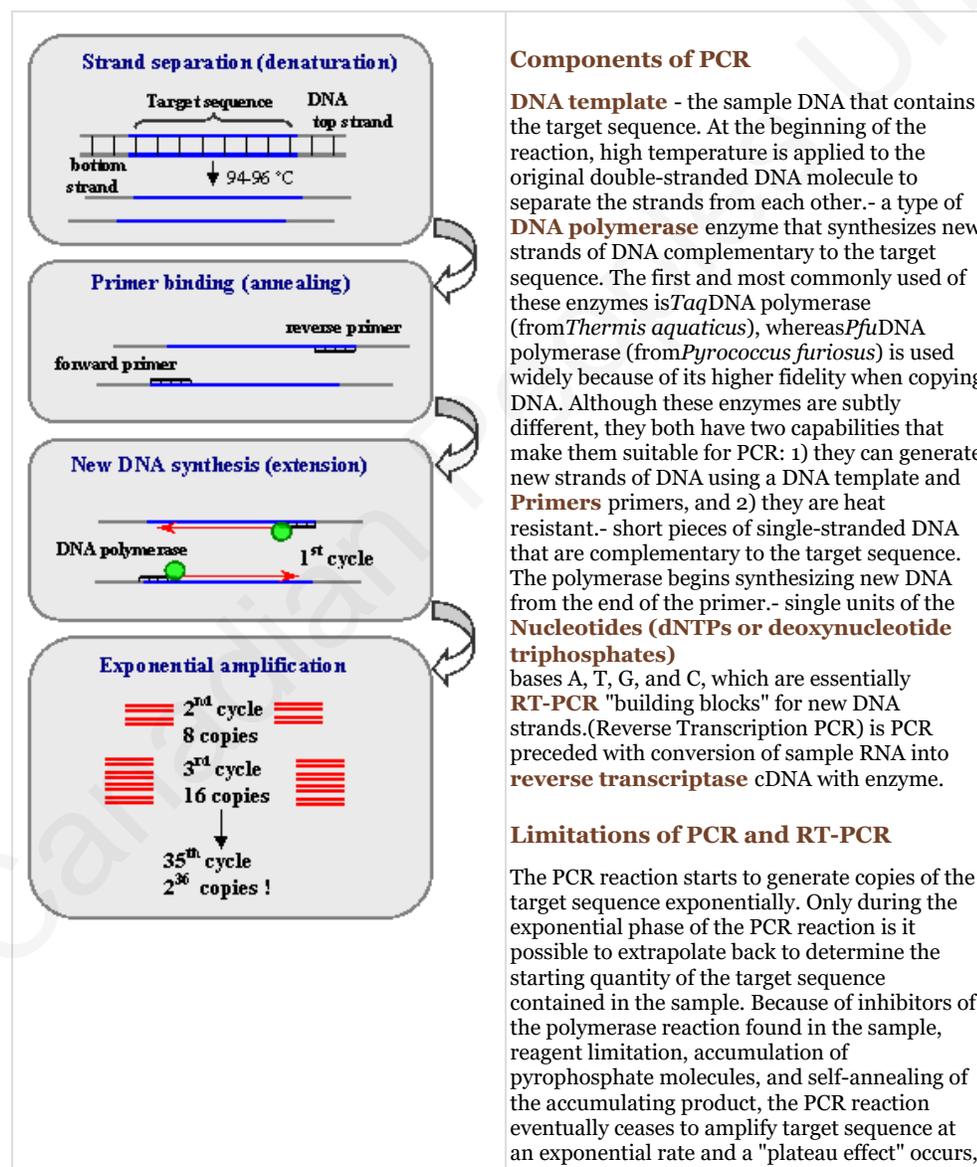
Last

Introduction

PCR (Polymerase Chain Reaction)

is a revolutionary method developed by Kary Mullis in the 1980s. PCR is based on using the ability of [DNA polymerase](#) to synthesize new strand of DNA complementary to the offered template strand. Because DNA polymerase can add a nucleotide only onto a preexisting 3'-OH group, it needs a [primer](#) to which it can add the first nucleotide. This requirement makes it possible to delineate a specific region of template sequence that the researcher wants to amplify. At the end of the PCR reaction, the specific sequence will be accumulated in billions of copies ([amplicons](#)).

How It Works



Components of PCR

DNA template - the sample DNA that contains the target sequence. At the beginning of the reaction, high temperature is applied to the original double-stranded DNA molecule to separate the strands from each other. - a type of **DNA polymerase** enzyme that synthesizes new strands of DNA complementary to the target sequence. The first and most commonly used of these enzymes is *Taq* DNA polymerase (from *Thermis aquaticus*), whereas *Pfu* DNA polymerase (from *Pyrococcus furiosus*) is used widely because of its higher fidelity when copying DNA. Although these enzymes are subtly different, they both have two capabilities that make them suitable for PCR: 1) they can generate new strands of DNA using a DNA template and **Primers** primers, and 2) they are heat resistant. - short pieces of single-stranded DNA that are complementary to the target sequence. The polymerase begins synthesizing new DNA from the end of the primer. - single units of the **Nucleotides (dNTPs or deoxynucleotide triphosphates)** bases A, T, G, and C, which are essentially **RT-PCR** "building blocks" for new DNA strands. (Reverse Transcription PCR) is PCR preceded with conversion of sample RNA into **reverse transcriptase** cDNA with enzyme.

Limitations of PCR and RT-PCR

The PCR reaction starts to generate copies of the target sequence exponentially. Only during the exponential phase of the PCR reaction is it possible to extrapolate back to determine the starting quantity of the target sequence contained in the sample. Because of inhibitors of the polymerase reaction found in the sample, reagent limitation, accumulation of pyrophosphate molecules, and self-annealing of the accumulating product, the PCR reaction eventually ceases to amplify target sequence at an exponential rate and a "plateau effect" occurs,

Help

- [ProbeDB overview](#)
- [Announcements](#)
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Applications

- [Gene Expression](#)
- [Gene Silencing](#)
- [Variation Analysis](#)
- [Genome Mapping](#)

Technologies

- [Bead Arrays](#)
- [Microarrays](#)
- [Morpholinos](#)
- [Overgo probes](#)
- [Resequencing](#)
- [RNAi](#)
- [PCR](#)
- [STS](#)
- [Real Time qRT-PCR](#)
- [SSO probes](#)
- [RAPD](#)
- [RFLP](#)
- [AFLP](#)
- [CAPS](#)
- [dCAPS](#)
- [MPSS](#)
- [MIP](#)
- [ISH](#)

Projects

- [GENSAT](#)
- [HapMap](#)
- [VariantSeq](#)
- [TaqMan](#)
- [TRC](#)
- [RNAi Global](#)

Distributors

- [Open Biosystems](#)
- [Applied Biosystem](#)

making the end point quantification of PCR products unreliable. This is the attribute of PCR that makes [Real-Time Quantitative RT-PCR](#) so necessary.

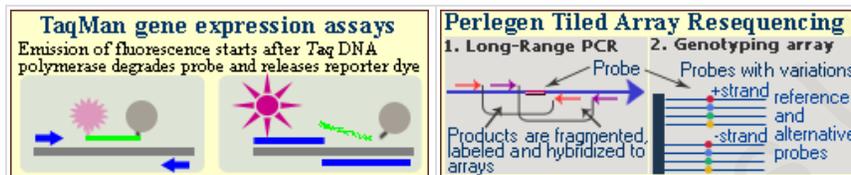
Sample Queries

Search Text	Probes
"gene expression"[application]	0
"primer set"[probe type] AND "mus musculus"[organism]	0
TaqMan[probe type] AND "wet lab success"[validation]	0

Resources

» ["Polymerase Chain Reaction"\[MAJR\]](#)

Note: [MAJR] is a Medical Subject Heading (MeSH) tag for Major Heading. The tag is used to limit the search to articles for which major subjects are represented by terms included in [the NLM MeSH database](#).



Canadian Human Rights Act (R.S.C. (Revised Statutes of Canada), 1985, c. H-6)

Act current to 2020-11-17 and last amended on 2019-07-12.

Canadian Human Rights Act

R.S.C. (Revised Statutes of Canada), 1985, c. H-6

An Act to extend the laws in Canada that proscribe discrimination

Short Title

Short title

1 This Act may be cited as the *Canadian Human Rights Act*.

1976-77, c. 33, s. 1.

Purpose of Act

Purpose

2 The purpose of this Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

R.S., 1985, c. H-6, s. 2; 1996, c. 14, s. 1; 1998, c. 9, s. 9; 2012, c. 1, s. 137(E); 2017, c. 3, ss. 9, 11, c. 13, s. 1.

PART I

Proscribed Discrimination

General

Prohibited grounds of discrimination

3 (1) For all purposes of this Act, the prohibited grounds of discrimination are race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

Idem

(2) Where the ground of discrimination is pregnancy or child-birth, the discrimination shall be deemed to be on the ground of sex.

Idem

(3) Where the ground of discrimination is refusal of a request to undergo a genetic test or to disclose, or authorize the disclosure of, the results of a genetic test, the discrimination shall be deemed to be on the ground of genetic characteristics.

R.S., 1985, c. H-6, s. 3; 1996, c. 14, s. 2; 2012, c. 1, s. 138(E); 2017, c. 3, ss. 10, 11, c. 13, s. 2.

Multiple grounds of discrimination

3.1 For greater certainty, a discriminatory practice includes a practice based on one or more prohibited grounds of discrimination or on the effect of a combination of prohibited grounds.

1998, c. 9, s. 11.

Orders regarding discriminatory practices

4 A discriminatory practice, as described in sections 5 to 14.1, may be the subject of a complaint under Part III and anyone found to be engaging or to have engaged in a discriminatory practice may be made subject to an order as provided in section 53.

R.S., 1985, c. H-6, s. 4; 1998, c. 9, s. 11; 2013, c. 37, s. 1.

Discriminatory Practices

Denial of good, service, facility or accommodation

5 It is a discriminatory practice in the provision of goods, services, facilities or accommodation customarily available to the general public

(a) to deny, or to deny access to, any such good, service, facility or accommodation to any individual, or

(b) to differentiate adversely in relation to any individual,

on a prohibited ground of discrimination.

1976-77, c. 33, s. 5.

Denial of commercial premises or residential accommodation

6 It is a discriminatory practice in the provision of commercial premises or residential accommodation

(a) to deny occupancy of such premises or accommodation to any individual, or

(b) to differentiate adversely in relation to any individual,

on a prohibited ground of discrimination.

1976-77, c. 33, s. 6.

Employment

7 It is a discriminatory practice, directly or indirectly,

(a) to refuse to employ or continue to employ any individual, or

(b) in the course of employment, to differentiate adversely in relation to an employee,

on a prohibited ground of discrimination.

1976-77, c. 33, s. 7; 1980-81-82-83, c. 143, s. 3(F).

Employment applications, advertisements

8 It is a discriminatory practice

(a) to use or circulate any form of application for employment, or

(b) in connection with employment or prospective employment, to publish any advertisement or to make any written or oral inquiry

that expresses or implies any limitation, specification or preference based on a prohibited ground of discrimination.

1976-77, c. 33, s. 8.

Employee organizations

9 (1) It is a discriminatory practice for an employee organization on a prohibited ground of discrimination

(a) to exclude an individual from full membership in the organization;

(b) to expel or suspend a member of the organization; or

(c) to limit, segregate, classify or otherwise act in relation to an individual in a way that would deprive the individual of employment opportunities, or limit employment opportunities or otherwise adversely affect the status of the individual, where the individual is a member of the organization or where any of the obligations of the organization pursuant to a collective agreement relate to the individual.

(2) [Repealed, 2011, c. 24, s. 165]

(3) [Repealed, 1998, c. 9, s. 12]

R.S., 1985, c. H-6, s. 9; 1998, c. 9, s. 12; 2011, c. 24, s. 165.

Discriminatory policy or practice

10 It is a discriminatory practice for an employer, employee organization or employer organization

(a) to establish or pursue a policy or practice, or

(b) to enter into an agreement affecting recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment,

that deprives or tends to deprive an individual or class of individuals of any employment opportunities on a prohibited ground of discrimination.

R.S., 1985, c. H-6, s. 10; 1998, c. 9, s. 13(E).

Equal wages

11 (1) It is a discriminatory practice for an employer to establish or maintain differences in wages between male and female employees employed in the same establishment who are performing work of equal value.

Assessment of value of work

(2) In assessing the value of work performed by employees employed in the same establishment, the criterion to be applied is the composite of the skill, effort and responsibility required in the performance of the work and the conditions under which the work is performed.

Separate establishments

(3) Separate establishments established or maintained by an employer solely or principally for the purpose of establishing or maintaining differences in wages between male and female employees shall be deemed for the purposes of this section to be the same establishment.

Different wages based on prescribed reasonable factors

(4) Notwithstanding subsection (1), it is not a discriminatory practice to pay to male and female employees different wages if the difference is based on a factor prescribed by guidelines, issued by the Canadian Human Rights Commission pursuant to subsection 27(2), to be a reasonable factor that justifies the difference.

Idem

(5) For greater certainty, sex does not constitute a reasonable factor justifying a difference in wages.

No reduction of wages

(6) An employer shall not reduce wages in order to eliminate a discriminatory practice described in this section.

Definition of wages

(7) For the purposes of this section, **wages** means any form of remuneration payable for work performed by an individual and includes

- (a)** salaries, commissions, vacation pay, dismissal wages and bonuses;
- (b)** reasonable value for board, rent, housing and lodging;
- (c)** payments in kind;
- (d)** employer contributions to pension funds or plans, long-term disability plans and all forms of health insurance plans; and
- (e)** any other advantage received directly or indirectly from the individual's employer.

1976-77, c. 33, s. 11.

Date modified:

2020-11-27

Canadian Human Rights Act (R.S.C. (Revised Statutes of Canada), 1985, c. H-6)

Act current to 2020-11-17 and last amended on 2019-07-12.

PART III**Discriminatory Practices and General Provisions
(continued)**

Offences and Punishment**Offence**

60 (1) Every person is guilty of an offence who

- (a) [Repealed, 1998, c. 9, s. 31]
- (b) obstructs a member or panel in carrying out its functions under this Part; or
- (c) contravenes subsection 11(6) or 43(3) or section 59.

Punishment

(2) A person who is guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding \$50,000.

Prosecution of employer or employee organization

(3) A prosecution for an offence under this section may be brought against an employer organization or employee organization and in the name of the organization and, for the purpose of the prosecution, the organization is deemed to be a person and any act or thing done or omitted by an officer or agent of the organization within the scope of their authority to act on behalf of the organization is deemed to be an act or thing done or omitted by the organization.

Consent of Attorney General

(4) A prosecution for an offence under this section may not be instituted except by or with the consent of the Attorney General of Canada.

Limitation period

(5) A prosecution for an offence under this section may not be instituted more than one year after the subject-matter of the proceedings arose.

R.S., 1985, c. H-6, s. 60; 1998, c. 9, s. 31.

Reports

Annual report of Commission

61 (1) The Commission shall, within three months after December 31 in each year, prepare and submit to Parliament a report on the activities of the Commission under this Part and Part II for that year, including references to and comments on any matter referred to in paragraph 27(1)(e) or (g) that it considers appropriate.

Special reports

(2) The Commission may, at any time, prepare and submit to Parliament a special report referring to and commenting on any matter within the scope of its powers, duties and functions if, in its opinion, the matter is of such urgency or importance that a report on it should not be deferred until the time provided for submission of its next annual report under subsection (1).

Annual report of Tribunal

(3) The Tribunal shall, within three months after December 31 in each year, prepare and submit to Parliament a report on its activities under this Act for that year.

Transmission of report

(4) Every report under this section shall be submitted by being transmitted to the Speaker of the Senate and to the Speaker of the House of Commons for tabling in those Houses.

R.S., 1985, c. H-6, s. 61; 1998, c. 9, s. 32.

Minister Responsible

Minister of Justice

61.1 The Minister of Justice is responsible for this Act, and the powers of the Governor in Council to make regulations under this Act, with the exception of section 29, are exercisable on the recommendation of that Minister.

1998, c. 9, s. 32.

Application

Limitation

62 (1) This Part and Parts I and II do not apply to or in respect of any superannuation or pension fund or plan established by an Act of Parliament enacted before March 1, 1978.

Review of Acts referred to in subsection (1)

(2) The Commission shall keep under review those Acts of Parliament enacted before March 1, 1978 by which any superannuation or pension fund or plan is established and, where the Commission deems it to be appropriate, it may include in a report mentioned in section 61 reference to and comment on any provision of any of those Acts that in its opinion is inconsistent with the principle described in section 2.

1976-77, c. 33, s. 48.

Application in the territories

63 Where a complaint under this Part relates to an act or omission that occurred in Yukon, the Northwest Territories or Nunavut, it may not be dealt with under this Part unless the act or omission could be the subject of a complaint under this Part had it occurred in a province.

R.S., 1985, c. H-6, s. 63; 1993, c. 28, s. 78; 2002, c. 7, s. 127.

Canadian Forces and Royal Canadian Mounted Police

64 For the purposes of this Part and Parts I and II, members of the Canadian Forces and the Royal Canadian Mounted Police are deemed to be employed by the Crown.

1976-77, c. 33, s. 48.

Acts of employees, etc.

65 (1) Subject to subsection (2), any act or omission committed by an officer, a director, an employee or an agent of any person, association or organization in the course of the employment of the officer, director, employee or agent shall, for the purposes of this Act, be deemed to be an act or omission committed by that person, association or organization.

Exculpation

(2) An act or omission shall not, by virtue of subsection (1), be deemed to be an act or omission committed by a person, association or organization if it is established that the person, association or organization did not consent to the commission of the act or omission and exercised all due diligence to prevent the act or omission from being committed and, subsequently, to mitigate or avoid the effect thereof.

1980-81-82-83, c. 143, s. 23.

PART IV

Application

Binding on Her Majesty

66 (1) This Act is binding on Her Majesty in right of Canada, except in matters respecting the Yukon Government or the Government of the Northwest Territories or Nunavut.

(2) [Repealed, 2002, c. 7, s. 128]

(3) [Repealed, 2014, c. 2, s. 11]

Idem

(4) The exception referred to in subsection (1) shall come into operation in respect of the Government of Nunavut on a day to be fixed by order of the Governor in Council.

R.S., 1985, c. H-6, s. 66; 1993, c. 28, s. 78; 2002, c. 7, s. 128; 2014, c. 2, s. 11.

67 [Repealed, 2008, c. 30, s. 1]

Date modified:

2020-11-27

Canadian Peoples Union NFP

DIVISION XV.3**Genetic Testing****Definitions**

247.98 (1) The following definitions apply in this Division.

disclose includes to authorize disclosure. (*communiquer*)

genetic test, in relation to an employee, means a test that analyzes the employee's DNA, RNA or chromosomes for purposes such as the prediction of disease or vertical transmission risks, or monitoring, diagnosis or prognosis. (*test génétique*)

Genetic test

(2) Every employee is entitled not to undergo or be required to undergo a genetic test.

Disclosure of results

(3) Every employee is entitled not to disclose or be required to disclose the results of a genetic test.

Disciplinary action

(4) No employer shall dismiss, suspend, lay off or demote an employee, impose a financial or other penalty on an employee, or refuse to pay an employee remuneration in respect of any period that the employee would, but for the exercise of the employee's rights under this Division, have worked, or take any disciplinary action against or threaten to take any such action against an employee

(a) because the employee refused a request by the employer to undergo a genetic test;

(b) because the employee refused to disclose the results of a genetic test; or

(c) on the basis of the results of a genetic test undergone by the employee.

Disclosure by third party

(5) No person shall disclose to an employer that an employee has undergone a genetic test, or disclose to an employer the results of a genetic test, without the written consent of the employee.

Collection or use

(6) No employer shall collect or use the results of a genetic test without the written consent of the employee who has undergone the test.

2017, c. 3, s. 8