

B) Domestic Commitments

1. The Canadian Charter of Rights and Freedoms

The *Canadian Charter of Rights and Freedoms*, which came into effect in 1982, begins by setting out a series of fundamental civil and political rights possessed by "everyone", and guaranteed "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society" (S.1). Section 15, which came into effect later, on 17 April 1985, grants every individual equality "before and under the law, and the right to equal protection and benefit of the law, ... without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." S.15(2) allows exceptions to be made for ameliorative laws and programs applying to groups defined by the above criteria.

2. The Canadian Human Rights Act

The *Canadian Human Rights Act* came fully into effect on 1 March 1978. It begins (S.2) with an explicit statement of purpose: to give effect to equality of opportunity by preventing discrimination in all matters coming under the jurisdiction of Parliament. Section 3(1) enumerates the proscribed grounds of discrimination:

For the purposes of this Act, race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability and conviction for which a pardon has been granted are prohibited grounds of discrimination.

The remainder of the first Part of the Act sets out a series of definitions of prohibited discriminatory practices. A number of these are of special importance to the aged and elderly. Section 5 makes it discriminatory on any of the proscribed grounds to deny anyone goods, services, facilities or accommodation normally available to the general public. Section 7 defines as discriminatory a refusal to employ any individual, or to differentiate between individuals to the detriment of either, on a proscribed ground. Section 8 makes it discriminatory, in employment applications or advertisements, to imply or express any limitation or preference based on a proscribed ground of discrimination. Section 10, more pointedly, makes it discriminatory for an employer to deprive an individual or group of employment opportunities on a prohibited ground, as a result of policies or practices relating to recruitment, promotion, training or other personnel