SECTION: Interpretation   Effective date: February 6, 2002
REVISED DATE: April 6, 2016

SUBJECT: RELIGIOUS BELIEF – s.9(2)(d)

Purpose:

This policy is intended to assist in the interpretation of "religion or creed, or religious belief, religious association or religious activity" referred to in Section 9 of *The Human Rights Code ("The Code")*. Where there is any conflict between this policy and *The Code*, *The Code* prevails.

Context:

The concepts of **"religion or creed, or religious belief, religious association or religious activity"** will be given a broad and purposive interpretation based on the policy considerations underlying *The Code* which operate to prevent and eliminate discrimination against individuals or groups.

The Code recognizes both the presence and absence of a religion, creed, religious belief, religious association or religious activity.

For the purposes of *The Code,* "religion" or "creed" is understood to mean beliefs that are:

- freely, deeply and sincerely held;

- integrally linked to a person's identity;

- based in a comprehensive and particular system of beliefs that addresses questions of human existence or the divine;

- consisting of a set of practices and activities that govern a person's conduct, and

- including an association to an organization or community that shares the belief system.

The Commission adopts the approach set out in *Syndicat Northcrest v. Amselem*, 2004 SCC 47, which establishes that a person seeking protection under *The Code* on the basis of a religious or creed-based belief, association or practice must demonstrate that it is "sincerely held."

MANITOBA HUMAN RIGHTS COMMISSION
BOARD OF COMMISSIONERS POLICY
SECTION: Interpretation
SUBJECT: RELIGIOUS BELIEF – s.9(2)(d)

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In accordance with the objectives underlying *The Code*, it is not necessary to establish any requirement or practice of a religion or creed and it is recognized that a person's religious or creed-based practices and associations may change and evolve over time.

APPROVED BY

"Yvonne Peters"   April 6, 2016
Chairperson   Date