

You have shopping rights

THE CHRISTMAS season is upon us and it is as good a time as any to talk about your rights when you are attempting to access goods, facilities and services.

Service providers should not alter the terms or deny someone a service or access to a service based on their sex, marital status, race, ethnicity, origin (including geographic origin), disability or religion. Denying someone a service based on the above is discriminatory and in contravention of the Equal Opportunity Act.

Whether you are purchasing curtains, toys, Christmas lights or any other item in and out of the season, you are entitled to receive these goods and services, no matter what your status.

Many people think about employment when they think about the categories covered by the Equal Opportunity Act, but this robust and progressive piece of legislation covers four broad categories.



'If you wanted to book a spot in one of the shopping malls or plazas to establish a kiosk and you are denied the opportunity to do so because you are not a Christian and it is the Christmas season, you can lodge a complaint at the EOC. Further, if you applied for the spot but someone who came after you was given the spot ahead of you because of their religion, you can also lodge a complaint at the EOC'

They are: employment, education, provision of accommodation and provision of goods and services.

When a consumer/client is trying to access any goods, facilities or services that are available to the public, the service provider should not discriminate

against that person:

(a) by refusing to supply the goods, provide the facilities or perform the services;

(b) in the terms on which he supplies the goods, provides the facilities or performs the services; or

© in the manner in which he supplies the

goods, provides the facilities or performs the services.

For instance, if you wanted to book a spot in one of the shopping malls or plazas to establish a kiosk and you are denied the opportunity to do so because you are not a Christian and it is the Christmas season, you can lodge a complaint at the Equal Opportunity Commission (EOC). Further, if you applied for the spot but someone who came after you was given the spot ahead of you because of their religion, you can also lodge a complaint at the EOC. The EOC will receive, investigate and conciliate the complaint.

Another example is being denied entry to a store or food court because of your race or ethnicity.

The act addresses a wide array of discriminatory practices when a consumer is attempting to access goods, services and facilities. The act lists the following examples:

(a) access to and use of any place which

members of the public or a section of the public are permitted to enter;

(b) accommodation in a hotel, guest house or other similar establishment;

© facilities by way of banking or insurance or for grants, loans, credit or finance;

(d) facilities for entertainment, recreation or refreshment;

(e) facilities for transport or travel;

(f) the services of any profession or trade, or any statutory authority or municipal authority.

There is only one exception to the rule. The act says that it is not "unlawful to discriminate against a person on the grounds of the person's disability if the provision of the goods or services, or making facilities available, would impose unjustifiable hardship on the person who provides the goods and services or makes the facilities available."

When shopping this Christmas season, and thereafter, remember: You have rights!