

administration • reference memo

- keywords
- **UNSOLICITED MATERIALS DISPLAYED / PRESENTED ON COLLEGE PROPERTY**
 - **REQUIRES WRITTEN PERMISSION**
 - **COLLEGE'S RESPONSIBILITY UNDER THE OCCUPIER'S LIABILITY ACT**

See also Admin. Ref. Memo. 1084

This Administration Reference Memo, in relation to the Occupiers Liability Act, (RSBC 1996 updated to October 1, 1998), sets out the terms and condition of the display/presentation of unsolicited materials/services on Capilano College property ("premises"). Therefore, no one shall distribute, advertise, display, disseminate, market, promote, sell* or offer any unsolicited material and/or service on campus without first obtaining written permission.

According to the Occupiers' Liability Act, (RSBC 1996 updated to October 1, 1998) Chapter 337 under the Definitions of This Act "Occupier" means a person who

- (a) is in physical possession of premises, or
- (b) has responsibility for, and control over, the condition of premises, the activities conducted on those premises and the persons allowed to enter those premises.

"Premises" includes

- (a) land and structures or either of them, excepting portable structures and equipment.

Capilano College as the "occupier", under the Occupiers' Liability Act, has a duty of care to ensure that the activities allowed on the premises are known and in compliance with the College's policies, procedures and management of risks.

The requirements under this Administration Reference Memo shall be administered by the Director, Contract Services & Capital Planning or designate.

Persons or firms wishing to use Capilano College property and/or buildings for the purpose of distributing, advertising, displaying, disseminating, marketing, promoting, selling* or offering any unsolicited material and/or service, must first obtain written approval from the College.

A request for permission to distribute, advertise, display, disseminate, market, promote, sell* or offer any unsolicited material and/or service on campus must be made, in writing, to the Director, Contract Services & Capital Planning.

Written requests to use Capilano College property and/or buildings must be made at least three (3) weeks prior to the date requested.

The written request must include two samples of each piece of unsolicited information and/or material (photographic or written) that would be distributed, advertised, displayed, disseminated, marketed, promoted, sold* or offered on College property if permission is granted AND provide answers to the following questions:

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1. What is the benefit (financial or other) of the distribution, advertisement, display, dissemination, marketing, promotion, selling* or offering of the unsolicited material and/or service to:
 - i. the students?
 - ii. the employees?
 - iii. the College administration?
 - iv. the person and/or company supplying the materials?

2. Is the unsolicited information and/or material (photographic or written) exclusive to Capilano College or is it available at other sources off Capilano College property?

Any unsolicited information and/or material (photographic or written) approved by the College for distribution, advertisement, display, dissemination, marketing, promotion, selling* or offering must:

- a. Be displayed only in the area/place designated by the College.
- b. Be removed at the end of the use period.

The College reserves the right, as the interest of the College may require, to revoke any permission granted for the use of College property and/or buildings and require the persons involved to immediately stop distributing, advertising, displaying, disseminating, marketing, promoting, selling* or offering any unsolicited material and/or service and immediately leave the premises with their material. Any behaviour by the presenter(s) or associate(s) that is deemed to be disruptive, confrontational or considered to be a form of harassment will not be tolerated by the College and the permission previously granted will be revoked immediately and the person(s) will be asked to leave the premises immediately.

If the College grants permission to use Capilano College property and/or buildings, the person and/or firm will be required to sign a letter acknowledging and accepting the terms and conditions under which the permission is granted. Failure to comply with the terms and conditions will result in the College revoking permission thereby previously granted and asking the person to stop their activity and immediately leave College property.

The College, at its sole discretion will decide if it will or will not grant permission and does not accept any liability whatsoever when permission is denied or rescinded.

The College does not accept any liability in relation to the material used or information provided.

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Placement of advertising/promotional material on vehicles on the property of Capilano College is not permitted. The College will invoice originators of such material for costs incurred by the College for cleaning up the litter resulting from such material being discarded from car windshields.

Approved promotional/advertising material shall be placed in areas designated by the College. Removal of material is the responsibility of the advertiser or promoter. Failure to comply will result in loss of future opportunities and a charge for the cost of removing material.

No person shall disturb classes or business offices to promote/sell or advertise.

***See also:** **Administration Reference Memo #1084**
 "Sale of Goods and/or Services on Capilano College Property"

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