

SUMMARY OF AGE-BASED LEGAL MILESTONES FOR YOUTH IN ONTARIO

AMAA - Age of Majority & Accountability Act	El Act - Election Act	MHA - Mental Health Act
CAS - Children's Aid Society	ESA - Employment Standards Act	OCA - Ontario Cannabis Act
CCC - Criminal Code of Canada	FCA - Film Classification Act	OLGCA - Ontario Lottery and Gaming Corp Act
CEA - Canada Elections Act	FLA - Family Law Act	OWA - Ontario Works Act
CYFSA - Child Youth & Family Services Act	HCCA - Health Care Consent Act	PRA - Parental Responsibility Act
CLRA - Children's Law Reform Act	HRC - Human Rights Code (Ontario)	POA - Provincial Offences Act
CNA - Change of Name Act	HTA - Highway Traffic Act	Rule - Rules of Civil Procedure
CPO - Canadian Passport Order	LLA - Liquor License Act	SLRA - Succession Law Reform Act
Common Law – past case decisions	MA - Marriage Act	SDA - Substitute Decisions Act
Ed Act - Education Act	MFIPPA - Municipal Freedom of Information & Protection of Privacy Act	SFOA - Smoke-Free Ontario Act
		YCJA - Youth Criminal Justice Act

6 & OVER

School attendance required [Ed Act, s.21(1)]

7 & OVER

Written consent required to be adopted [CYFSA, s.180(6)]

UNDER 12

Can be apprehended by CAS for serious criminal behaviour [CYFSA, s.74(2)(l-m)]

Can be the subject of a secure treatment order only with Minister's consent [CYFSA, s.164(2)]

12 & OVER

Can apply to vary or terminate CAS supervision or society care order [CYFSA, s.113(4)(a), 115(4)(a)]

Consent required for temporary care agreements with CAS and voluntary child protection proceedings [CYFSA, s.75(2), 74(2)(c)]

Can be subject of a secure treatment order [CYFSA, s.164(1)]

Can be prosecuted for provincial offences such as truancy [POA, s.93(a)]

Can be charged with a criminal offence [YCJA s.2(1)]

Can consent to counselling by service provider [CYFSA, s.23(1)]

Consent required to change name [CYFSA, s.206 & CNA, s.5(2)(c)]

Right to be in court with a lawyer when a judge is deciding about sharing information about you before and after you are adopted [CYFSA, s194-211]

SEXUAL ACTIVITY

12 & 13: Can consent to sexual activity only with a person who is less than 2 years older, except with a person in position of authority or trust

14 & 15: Can consent to sexual activity with a person who is less than 5 years older, except with a person in position of authority or trust

16 & 17: Can consent to sexual activity with a person who is older by any number of years, except with a person in position of authority or trust

[CCC, s.150.1]

14 & OVER

Adult sentence can be imposed for more serious criminal offences [YCJA, s.64]

UNDER 16

Not permitted in a public place without parents (or other adult arranged with parents) between midnight and 6 am [CYFSA, s.136(4)]

Can be apprehended and taken to place of safety; and can be the subject of child protection proceedings [CYFSA, s.74(1), 81(2)]

Parents' obligation to provide financial support absolute; not dependant on child's residence or why child left home [FLA, s.31(1)]

Deemed competent to appoint and instruct counsel in proceedings for admission into a psychiatric facility [MHA, s.43]

Legal custodian may exercise child's rights to privacy and access to information [MFIPPA, s.54(c)]

16 & 17

Consent required to be taken to a place of safety [CYFSA, s 82.(1)]

Can enter into Voluntary Youth Service Agreement with CAS [CYFSA, s.77(1)]

16 & OVER

Can change name with parents' consent or court order [CNA, s.4]

Can get married with parents' consent, court order or Minister's approval [MA, s.5(2), 6(1) & 10]

Can voluntarily withdraw from parental control but may lose right to parents' financial support [CYFSA, s.85(1)(b); CLRA, s.65; FLA, s.31]

CAS cannot apprehend unless subject to court order [CYFSA, s.74]

Protected from housing discrimination based on age [HRC, s.4]

Considered an adult under the POA [s.93(b)]

16 & OVER *(continued)*

Eligible for social assistance in special circumstances (eg. kicked out) [OWA Reg 134/98, s.10]

Citizens of Canada can apply for a Canadian passport on their own [CPO SI/81-86, s.2]

Right to privacy of and access to personal information on own behalf [MFIPPA, s.54(c)]

Entitled to participate in decisions about special education needs [Ed Act Reg 181/98, s.5(1)-5(5), s.6(2)]

If withdrawn from parental control, may have right to appeals under the Ed Act [Common law; Ed Act, s.1(2)]

Can apply for secure treatment order [CYFSA, s.161(1)]

Can provide an advance care directive to refuse emergency medical treatment [HCCA, s.26]

Can be or appoint a substitute decision maker in

health-related treatment and personal care matters [HCCA, s.33; SDA, s.44]

Substitute decision maker must give effect to patient's treatment wishes made after patient turned 16 years [HCCA, s.21]

17 & OVER

If 17th birthday is between first day of school and December 31st, can quit school at the end of that school year [Ed Act, s.21(1)(b)]

UNDER 18

Can be the subject of custody or access orders [CLRA, s.36-37]

Required to wear bicycle helmet [HTA, s.104(2.1); HTA Reg 610, s.5)]

Students can be paid reduced minimum wage [ESA Reg 285/01, s.5(1)(1)]

“Child” under the United Nations *Convention on the Rights of the Child* [Article 1]

Can be sued on contracts for necessities (i.e. housing) and for goods and services if minor derives a benefit [Common Law, AMAA, s.1]

Parents may be sued for damages caused by their minor children. Liability based on failing to supervise and control, and depends on maturity of child [Common Law; PRA, s.1 & 2; AMAA, s.1]

Litigation guardian required to sue or be sued unless court order allows otherwise [Rule 7.04 & AMAA, s.1]

Litigation guardian may be ordered in civil proceedings where minor is not party but interests require separate representation [Rule 7.04(2)]

18 & OVER

If 18th birthday is between January 1st and end of August, can quit school on 18th birthday [Ed Act, s.21(1)(a)]

Age of majority – no longer a “minor” [AMAA, s.1]

Protected from discrimination based on age [HRC, s.10(1)]

Adult under the *CCC* [YCJA, s.2(1)]

Adult under *Ed Act* [s.1(2)]

Entitled to receive full minimum wage [ESA Reg 285/01, s.5(1)]

All existing child protection orders and Voluntary Youth Service Agreements with CAS terminate. CAS shall offer continued care & support for a young person who was in extended society care (formerly “Crown Ward”) and those on Voluntary Youth Service Agreements [CYFSA, s.77(5), 123(a), 124]

Can no longer be the subject of custody or access orders [CLRA, s.18(2)]

Obligation of parents to provide financial support ends unless in school full-time [FLA, s.31(1)]

Eligible for social assistance if in need [OWA, s.10(1)]

Can:

- Vote in elections [EI Act, s.15(1)(a), CEA, s.3]
- appoint or be a substitute decision maker with respect to property matters [SDA, s.4, 5]
- sue or be sued in own name [Rule 7.04, AMAA, s.1]
- enter into contracts [SDA, s.2(1), Common Law]
- make a will [SLRA, s.8]
- change name [CNA, s.1; 4(3)]
- get married [MA, s.5(1)]
- buy a lottery ticket [OLGCA, s.13(1)]
- see a restricted movie [FCA, s.3(10), Reg 452/05]

19 & OVER

Can gamble (eg. casinos) [OLGCA, s.13(3) & 13(4)]

Can buy cannabis, alcohol and tobacco [OCA s.10, LLA, s.30(1) & SFOA, s.3]

NON AGE-BASED MILESTONES

Right to see school records [Ed Act, s.266(3)]

Right to attend school in school board area where you live [Ed Act, s.36]

Can consume alcohol at home or other private place if supplied by parent at that location [LLA, s.30(13)]

Consent to health-related treatment depends on mental capacity not age [HCCA, s.10 & 11]

Federal HRC and Charter protect all ages from age discrimination [Canadian Human Rights Act, s. 3(1), Charter, s.15(1)]

Single parents of any age are eligible for social assistance, if needed [OWA, Reg 134/98, s.10(9)]

Married persons or those in the military can make a will at any age [SLRA, s.8(1)]

Justice for Children and Youth

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