

Top 11 Things International Students Should Know About Canadian Law



As voted by you on the International Students in London Facebook Group

Paul Morrison, J.D. – Gloin Hall & Shields, Barristers and Solicitors

Are My Parents Allowed to Get Information From the School, Landlord, Etc...?



It may seem odd for you, if you come from a culture where your parents are highly honoured and very involved in their children's lives, but Canadian law is different.

Canadian law treats anyone over the age of 18 as an adult which means:

- If you are 18 years old, the school cannot give information to your parents.
- If you are the only person on the lease, your landlord cannot give information to your parents. If they are guaranteeing your lease, then they can.
- In general, if you're 18 years old, your parents have no rights to demand information about your life.

Scam targeting Chinese Students



- Students receive threatening phone calls, are instructed to not answer phone, use social media, contact parents
- Scammer contacts parents and claims they have kidnapped the student.
- Scammer tries to get money from parents.

What should you do? Call police immediately – not usually a real threat, scammers relying on fear of police.

What can I do if I have a problem with my Landlord?



- Ontario has the *Residential Tenancies Act*, 2006, S.O. 2006, c. 17. This law limits what landlords and tenants can and cannot do.
- Fanshawe College has a Housing Mediator - Glenn Matthews, 519-452-4282, or RMF2010
- Western University has the Community Legal Services - 519-661-3352
- All Landlord Tenant disputes go to Landlord and Tenant Board (LTB), not court.
 - LTB is very tenant friendly. Tenants can get free legal advice from Legal Aid Lawyers.
- Get good advice

Can I Work While I am a Student in Canada?



What does my permit say?

- Your study permit will indicate if you are able to work off campus. If so, you are allowed to work for up to 20 hours per week, as long as school is in session, or full time when it is during a break.

What if my permit doesn't say I can work off campus?

- If your permit does not indicate you are able to, you can still work on campus.

What Can I do if an Employer is Mistreating Me?



Ontario has workplace standards laws – *Employment Standards Act 2000* (“ESA”).
The ESA has rules about:

- How long you can work
- The minimum they can pay you per hour
- How many breaks you get
- Overtime and vacation pay

The Ministry of Labour will be more concerned with the employer than you.
Call their hotline at: 1-800-531-5551

What Can I Do if I Think a Business Has Cheated Me?



There are numerous laws to protect consumers:

- *Consumer Protection Act, 2002, S.O. 2002, c. 30, Sched. A*
- *Wireless Services Agreements Act, 2013, S.O. 2013, c. 8*
- *Discriminatory Business Practices Act, R.S.O. 1990, c. D.12*

Among other rules:

- Cannot use false or deceptive misrepresentations;
- Cannot take advantage of lack of ability to communicate in English;
- Special rules for certain types of agreements (like wireless, fitness clubs, remote agreements).

What Are Some Special Rules for Driving That I Might not Know?



- **Move over law** – you have to move over for stopped emergency vehicles.
- **Green Lights law** – Some areas have volunteer firefighters, they have green lights on their cars.
- **Do not pass stopped school buses** – if lights are flashing.
- **Pedestrians** - have right of way on cross walks.
- **Yield to buses** – they have right of way.
- **Bicycles** - must obey all traffic laws, just like a car.
- **Distracted Driving** – Cannot drive while eating, texting, or using phone.
- **Drunk Driving** – Don't drink alcohol and drive.
- **Children** – Must be in an approved child seat.

What are my rights if i am stopped or asked questions by police?

Are you driving a car?

- Different rules apply
- Police can ask a driver for license, proof of insurance and ownership
- Police can request breath sample if there are “indicia of impairment”
(a reason to believe you might have drunk too much alcohol to safely drive)

If you are not in a car?

- You have a right to be silent.
- You do not have to answer questions.
- You have a right to get legal advice before answering questions
 - Ask for a lawyer!
- Anything you say can be used against you.

Best Advice: Police are generally friendly and helpful and not to be feared, but if you think police are investigating you for committing a crime, do not speak, do not answer any questions and ask for a lawyer.

What is Acceptable Romantic/Sexual Behaviour?



Sexual Assault is – Any assault of a “sexual nature”.

What is a “sexual nature” –

Basically it means it is done for some aspect of sexual pleasure.

What is an “assault” – It means any physical interference.

Sexual Assault includes:

Unwanted sexual touching, groping, unwanted kissing, all sexual contact up to and including rape.

What is Consent?

- Consent is required for any sexual activity. At most basic it means that both people involved agree to participate.
- Consent cannot be implied from what a person is wearing, where they are, what time of day, whether they are intoxicated, or anything other than their direct verbal consent.
- Special care is required when a person is intoxicated because their ability to consent may be impaired.

The penalties for sexual assault are very serious, you may be imprisoned, you could also be expelled.

Is there anything you cannot say in Canada?



Generally – No, you can say anything

There are a couple Exceptions:

- Dangerous words – Cannot cry “FIRE!” in a crowded theatre... unless there actually is a fire.
- Cannot incite hatred against an identifiable group – this is very limited, must actually create a potential for violence or criminal acts.
- Civil Liability – you can still be subject to non-criminal punishment for hate speech or for Defamation (saying something to people that is untrue about someone that causes a loss of respect).

Is there anything I should know about Cannabis/Marijuana laws?



State of the law– Recreational Cannabis is legal for personal use in Canada as of October of 2018.

There are strict limits – You cannot possess more than 30g.

What about plants?– You can have up to four plants per household. If you share a house, that's four plants total.

Where is it legal to buy from: There are government stores, buying from other people is illegal, but you can share.

But Be Careful:

- Possession of more than 30g is a serious crime, as is selling.
- **Even though it may be legal, this doesn't mean it is good for you.** There are many studies which show that recreational pot use can have serious side effects, including mental health issues and may harm brain development (which continues until age 25-30).
- **Other drugs are still illegal, and there are serious criminal penalties even for simple possession.**