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67 ELIZABETH II, 2018

# Bill 46

## **An Act to amend various Acts to impose sanctions for persons convicted of terrorist activities**

**Mr. D. Smith**

**Private Member's Bill**

1st Reading      October 22, 2018

2nd Reading

3rd Reading

Royal Assent



## EXPLANATORY NOTE

The Bill amends a number of Acts to provide for sanctions for any person convicted of a terrorist offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada). The child of a parent who is convicted of a terrorist offence is considered in need of protection under Part V of the *Child, Youth and Family Services Act, 2017*. As well, a person who is convicted of a terrorist offence is not eligible for any of the following:

1. A licence under the *Fish and Wildlife Conservation Act, 1997*.
2. Health insurance benefits under the *Health Insurance Act*.
3. A driver's licence under the *Highway Traffic Act*.
4. Rent-geared-to-income assistance or special needs housing under the *Housing Services Act, 2011*.
5. Grants, awards or loans under the *Ministry of Training, Colleges and Universities Act*.
6. Income support or employment supports under the *Ontario Disability Support Program Act, 1997*.
7. Assistance under the *Ontario Works Act, 1997*.
8. Coverage under the insurance plan under the *Workplace Safety and Insurance Act, 1997*.

**An Act to amend various Acts to impose sanctions  
for persons convicted of terrorist activities**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**CHILD, YOUTH AND FAMILY SERVICES ACT, 2017**

**1 Subsection 74 (2) of the *Child, Youth and Family Services Act, 2017* is amended by striking out “or” at the end of clause (n) and by adding the following clause:**

(n.1) the child’s parent has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada) on or after the day this clause comes into force; or

**FISH AND WILDLIFE CONSERVATION ACT, 1997**

**2 (1) Section 71 of the *Fish and Wildlife Conservation Act, 1997* is amended by adding the following subsection:**

**No licence for convicted terrorists**

(2) The Minister shall not issue a licence to a person who has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**(2) The Act is amended by adding the following section:**

**Cancellation of licence of convicted terrorist**

**71.1** (1) The Minister shall cancel the licence of a person who is convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada) on or after the day this section comes into force.

**Notice**

(2) The Minister shall give notice to the person on cancelling the licence.

**HEALTH INSURANCE ACT**

**3 (1) Subsection 11 (1) of the *Health Insurance Act* is amended by adding “Subject to subsections (1.1) and (1.2)” at the beginning.**

**(2) Section 11 of the Act is amended by adding the following subsections:**

**Disqualification for convicted terrorists**

(1.1) No person is entitled to become an insured person if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**Same**

(1.2) No person is entitled to continue to be an insured person if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada) on or after the day this subsection comes into force.

**HIGHWAY TRAFFIC ACT**

**4 (1) Section 32 of the *Highway Traffic Act* is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(4) No person is entitled to a driver’s licence if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**(2) The Act is amended by adding the following section:**

**Suspension on conviction for terrorist offences**

**41.1** (1) The driver’s licence of a person is suspended if the person is convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada) on or after the day this section comes into force.

**No early reinstatement**

(2) The suspension of the licence is not subject to early reinstatement under section 57.

(3) **Subsection 57 (2) of the Act is amended by adding “Subject to section 41.1” at the beginning in the portion before clause (a).**

**HOUSING SERVICES ACT, 2011**

**5 (1) Section 42 of the *Housing Services Act, 2011* is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(1.1) No person is eligible for rent-geared-to-income assistance if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

(2) **Section 59 of the Act is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(2) No person is eligible for special needs housing if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES ACT**

**6 (1) Section 5 of the *Ministry of Training, Colleges and Universities Act* is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(1.1) The Minister shall not make any grant or award to a person who has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

(2) **Section 7.1 of the Act is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(1.1) The Minister shall not make any loan under subsection (1) to a person who has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997**

**7 (1) Section 5 of the *Ontario Disability Support Program Act, 1997* is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(4) A person is not eligible for income support if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

(2) **Section 33 of the Act is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(2) A person is not eligible for employment supports if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**ONTARIO WORKS ACT, 1997**

**8 Section 3 of the *Ontario Works Act, 1997* is amended by adding the following subsection:**

**Disqualification for convicted terrorists**

(2) No person is eligible for assistance under this Act if the person has been convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada).

**WORKPLACE SAFETY AND INSURANCE ACT, 1997**

**9 Section 11 of the *Workplace Safety and Insurance Act, 1997* is amended by adding the following subsection:**

**Non-application to convicted terrorists**

(1.1) The insurance plan does not apply to a worker once the worker is convicted of an offence under any of sections 83.18 to 83.221 of the *Criminal Code* (Canada) on or after the day this subsection comes into force.

**COMMENCEMENT AND SHORT TITLE**

**Commencement**

**10 This Act comes into force on the day it receives Royal Assent.**

**Short title**

**11** The short title of this Act is the *Terrorist Activities Sanctions Act, 2018*.