

Ready or Not: Key Insights to Enabling Adolescents' Access to Their Personal Health Information

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Appendix 1: Legislative Scan Summary Tables

TABLE 1

Statutory provisions relating to the rights of minors in health information, healthcare and social services issues by jurisdiction (version date: October 2020; *denotes not in force; **provisions are illustrative, not comprehensive)

Note: This document extracts selected provisions of selected statutes. It is not a comprehensive listing of statutory provisions relating to minors. This document is provided for informational purposes only and does not constitute legal advice.

Jurisdiction	Statute	Notable provisions related to minors, age and consent.
British Columbia	Age of Majority Act, 1996	Age of Majority (s.1(1)(a); 1(2))
	E-Health (Personal Health Information Access and Protection of Privacy) Act, 2008	Disclosure with and without consent (s. 5; 18), Disclosure Directives (s. 9(3)), Access to one’s own PHI (s. 17)*, <i>Disclosure Directive Regulation</i> (s. 2)
	Personal Information Protection Act, 2003	Access to one’s own PI (s.23)
	Freedom of Information and Protection of Privacy Act, 1996	Access to one’s own PI (s. 4 (1), s. 19), Disclosure of PI by custodian (s. 32-36; 33.1 (1)), Precedence of this/other acts (s. 79), Regulations (s. 3(1))
	Health Care (Consent) and Care Facility (Admission) Act, 1996	Adult(s. 1), Capacity to consent to treatment (s. 3(1)), Capacity to consent to admission (s.7), Elements of consent (s. 6(d) & (e)), Who may consent on another’s behalf (s. 16(2)(a)), Advance directive. (s. 19.1)
	Mental Health Act, 1996	Age for voluntary admissions (s. 20)
	Infants Act, 1996	Infant (s.1), Health care consent (s. 17)
	Child Family and Community Service Act, 1996**	Best interests of child (s. 4(f)), Views of child (s. 2(d); 6(3)(a); 21(3); 56(3); 57.01(3)); Child who needs necessary health care (s. 29(1)), Consent (s. 60(1)), Voluntary care agreements (s.6), Child in need of protection (s. 13(1)(f); 16(4)), Who can act for a child (s. 76), Information, notice, etc. to child 12 and older. (s. 28. 33.1(2); 34(3)(a); 38)
	Family Law Act, 2011**	Parental responsibilities (s. 41 (f) & (h); 147(1)), Consent (s. 51(4)); Legal rights (s. 201)
	Adoption Act, 1996**	Consent (s. 13(1)(a); 36(2)(a); 30), Parents under 19 years of age (s.15)
Alberta	School Act, 1996**	Education (s.3(1)(b)); Access to school records (s.3(1)).
	Age of Majority Act, 2002	Age of Majority (s. 1; 2; s.3(1))
	Health Information Act, 2000	Access to one’s own PHI (s. 11 (1)(a)), Disclosure with and without consent (s. 34(1); 35(1)(n); 104(1)(a)-(c)), Precedence of this/other acts (s. 4; s.6), Notice of a breach (s.60.1)
	Personal Information Protection Act, 2003	Age applicability (s.61(1)), Consent (s.7; 14; 17; 20), Consent to disclosure (s.64)
	Freedom of Information and Protection of Privacy Act, 2000	Definitions (s. 1); Application of Act (s. 4(1)(u)), Access to one’s own PI (s. 6(1); 18), Disclosure with and without consent (s. 40), Exercise of rights (s. 84(1))
	Personal Directives Act, 2000	Personal directives Age (s. 3(1))
	Mental Health Act, 2000	Formal patient and guardian (s. 1(1)), Capacity for treatment decisions (s. 26; 28(1)(b))

	Child, Youth and Family Enhancement Act, 2000**	Child (s. 1(1)(d)), Youth (s. 1(1)(cc)), Best interests of Child (s. 58.1), Consent (s. 14(3); 31(5); 34(9); 55(1)(b); 59(b); 70(4)), Legal rights (s. 23(1) &(2); 31(5); 32(1); 34(1); 53(1); 17; 31 (1)), Disclosure (s.4(1))
	Family Law Act, Statutes of Alberta, 2003**	Child (s.1(c)), Consent (s.15(4)), Consent for adoption/guardianship (s. 24(1)), Guardians entitlement to be informed and make decisions affecting minors (s.24(4) &(5))
Saskatchewan	The Age of Majority Act, 1978	Age of majority (s. 2, s. 4)
	The Health Information Protection Act (HIPA), 1999	Minors exercising rights (s.56(c)), Access to one's own PHI (s. 32; 34; 38(1)(a)), Disclosure with and without consent (s.5), informed consent (s.6(2)), Exercising rights under the act (s. 56(c) & (d)), Precedence of this/other acts (s. 4(1))
	The Hospital Standards Regulations, 1980	PHI retention (s.15(1))
	Freedom of Information and Protection of Privacy Act, 1992	Access to one's own PI (s.21), Disclosure with and without consent (s. 29), Exercise of rights by others (s. 59(d)), Consent (s.17.1; 18(1); 18(2))
	The Health Care Directives and Substitute Health Care Decision Maker's Act, 2015	Adult (s. 2(1)(a)), Capacity (s. 2(1)(b)), Directives (s. 3), Substitute decision maker (s. 11(1); 15(1))
	The Adoption Act, 2003**	Child (s.1), Consent of child (s. 4(1); 29.2(2)), Child's Voice in Court (s.14), Consent of a minor parent to an adoption (s.4(11))
	The Child and Family Services Act, 1989-90**	Child (s.2(1)), Consent of child (s.10(1)), Child's views (s.9(6)), Child's best interests (s.4)
	The Children's Law Act, 1997**	Child (s.1); access to child personal information (s.3; 4), Consent for guardianship (s.31(2)), Custody orders access to a child (s.8(a)(vii), s.9(1)).
Manitoba	The Age of Majority Act, 1988	Age of majority (s.1; 2; 3)
	The Personal Health Information Act, 1997	Access to one's own PHI (s. 5(1); 11(1)(a)), Disclosure by trustee (s. 22(1)), Consent must be knowledgeable (s. 19.1(2)), Exercising rights of another person (s. 60 (1)(e)), Precedence of this/other statutes (s. 4(2)& (3))
	Freedom of Information and Protection of Privacy Act, 1997	Access to one's own personal information (s. 7(1); 24); Disclosure with and without consent (s. 44); Who can exercise rights (s. 79(d)); Precedence of this/other acts (s. 5(2))
	The Health Care Directives Act, 1993	Capacity (s. 2), Capacity not static(s. 6(2)), Directives (s. 2), Age of capacity (s. 4), Proxies (s. 12), Precedence of this/another act (s. 3)
	The Mental Health Act, 1998.	Mental competence (s.1), Patient's right to examine and copy clinical record & request correction (s. 34(2) & 35(1)).
	The Child and Family Services Act, 1985**	Best interests of child (s.2(2) & (3)); Child in need of protection (s. 17(2)); Child's consent (s. 25(2) & (3) & (9)), Legal rights (s. 34(2)), Notice for hearings (s. 20(2); 77(2); 78(3))
	The Adoption Act, 1999**	Child (s.1); Consent for adoption (s. 12; 13; 33(3); 73(2)); Disclosure veto (s.112)
	The Change of Name Act, 1987**	Child (s.1(1)); Consent of child (s.4(3))
Ontario	Age of Majority and Accountability Act, 1990	Age of majority (s. 1; 2; 3)
	Personal Health Information Protection Act, 2004	Access to one's own PHI (s. 52 (1)); Informal access (s. 52(6)); Capacity to consent to collection, use and/or disclosure (s. 21(1)); Capacity may not be constant (s. 21 (2) & (3)); Knowledgeable consent (s.18(5)); Presumption of capacity (s. 21 (4) & (5)); Persons who may consent (s. 23 (1-3); Precedence of this/other acts. (General Regulation, s. 5(1)).
	Freedom of Information and Protection of Privacy Act (FIPPA), 1988	Access to one's own PI (s. 47(1); s. 49(d)), Disclosure with and without consent (s. 42(1)), Who may exercise rights (s. 66), Precedence of this/other acts (s. 67)

	Health Care Consent Act, 1996	Capacity (s. 4(1) & (2) & (3)), Capacity not static (s. 15(1) & (2)), Who may consent on an incapable person’s behalf (s. 20(2)), Advance wishes. (s. 26)
	Substitute Decisions Act, 1992	Capacity (s.2(1) & (2); 45)
	Mental Health Act, R.S.O. 1990	Child as informal patient (admitted with consent of another person) (s. 13(1))
	Health Protection and Promotion Act, 1990	Order by Medical officer of health (s.23)
	Child and Family Services Act, 1990**	Child (s. 3 (1); 37(1)); Consent (s. 4; 27(1); 28; 137 (6); 145(3)), Child in need of protection (s 37(2)(e)), Child’s views/wishes (s. 37 (3); 34(6); 107), Apprehension of child/unattended child (s. 43; 79(3)), Legal rights (s. 39(4) & (5); 54(5); 55; 64(4); 108; 153(5) & (6))
	Child, Youth and Family Services Act (CYFSA), 2017**	Child (s.2(1)), Access to one's own PI (s.312(1)), Respect for the views of the child (s.8(2), s. 22(6)(b), s.64(5), s.74(3)(a), s.78(4), s.94(11), s.109(2)(e), s.135(2), s. 212(4)),Child's consent for counseling (s.23(1)), Person's access to a child order (s.104(5)), Child protection hearings (s. 79(4)).
Quebec	Civil Code Book 1, Title 4, Ch 1, Sec 1	Full age or the age of majority is 18 years. (art 153)
	An Act Respecting Health Services and Social Services	Access to one’s own information (s 17;20); Consent for access by another person (s. 19); Access to a minor’s information (s. 21),Who may exercise rights(s. 12)
	Civil Code, Book 1, Title 2, Chapter 3	Right to privacy (art 35), Access to one’s own information (art 38; 39); adoption-related rights (art. 71.3.12.; 71.14; 71.3.6; 71.3.8(3); 199.4)
	An Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, 1982	Access to one’s own personal information (s. 9; 83), Consent for disclosure (s. 53(1), Use and disclosure (release) with and without consent (s. 65.1; 66-68.1), Precedence (s. 168)
	Act respecting the protection of personal information in the private sector, CQLR c P-39.1	Age for requesting personal information (s.38)
	Civil Code, Book 1, Title 2, Chapter 1	Consent (art 10); Consent for minors (art 14-18)
	Act Respecting Health Services and Social Services, 1991	Consent for care (s. 9); Representative (s. 12)
	Civil Code, Book 1, Title 4, Ch 1, Sec 2 & Book 1, Title 4, Ch 1, Sec 3	Tutor for minor (art 158), Emancipated minor (art 167-168; 170 -171; 175-6); Legal rights (art 34; 159); Legal rights - emancipated minor (art 172)
	Civil Code, Book 2, Title 2 Ch 2	Consent for adoption (art 544; 549- 550), Information about parents (art 583)
	Civil Code, Book 2, Title 4	Parental Authority (art 598- 599)
	Youth Protection Act, 1984**	Parental responsibilities (s. 2.2); Right to consent (s. 72.5); Right to object/refuse (s. 47; 47.2; 52; 87), Legal rights (s. 76; 85.1; 94; 96); Disclosure of health information of a minor to parents (s.97), Access to one's own records (s. 4.2).
New Brunswick	Age of Majority Act, 1973	Age of majority. (s. 1(1) & (2); 2(1))
	Personal Health Information Privacy and Access Act (PHIPAA), 2009	Access to one’s own PHI.(s.7(1); 14 (1)), Informal access (s.16), Knowledgeable consent for custodian’s disclosure of PHI (s.17 (1)(a) & (b)); Capacity to consent (s. (23(1)), Capacity not static (s. 23(2)), Presumption of capacity (s. 23(3) - (4); s.24.1(1) & (2)), Who may consent (s. 25(1)(f)), Precedence of this/other acts (s. 4 (1) & (2); 6; 5)
	Right to Information and Protection of Privacy Act, 2009	Access to one’s own PI (s. 7(2); 28); Disclosure of PI with and without consent (s. 46(1)), Who may exercise powers/rights under the Act (s. 79), Precedence of this/other statutes (s.5)
	Medical Consent of Minors Act, 1976	Age of majority (s. 2), Consent to treatment (s. 3(1))

	Mental Health Act, 1973**	Capacity (s.1(2)), Access to clinical record (s.16.1(1); 8.01(2); 8.4)
	Family Services Act, 1980**	Best interests of child (s. 1), Child’s wishes (s. 6), Consent of minor (s 13.1; 76(1); 85(5); 90.01(4)), Right to refuse (s. 29.2), Apprehension of runaway (s. 31(5)&(6))
Nova Scotia	Age of Majority Act, 1989	Age of majority (s. 2(1) & (3); 3(1))
	Personal Health Information Act, 2012 (and regulations)	Capacity (s. 3 (b)), Access to one’s own PHI (s. 71; 72(f) & (g)), Requirements for knowledgeable implied consent (s.13), Who may consent (s.18; 21), Capacity not static (s.19), Precedence (s. 7(1) & (3))
	Freedom of Information and Protection of Privacy Act (FOIPOP), 1993 (and regulations)	Access to one’s own PI (s. 18), Disclosure with and without consent (s 27), Exercise of right or power (s. 43(d))
	Personal Directives Act, 2010	Capacity (s.2(a)), Personal directives (s.3; 14)
	Hospitals Act, 1989	Adult presumption of capacity (s.52(1)), Determining capacity (s.52(2A), Declaration of capacity (s.53(1)-(2))
	Involuntary Psychiatric Treatment Act (IPTA), 2005	Treatment decisions (s. 2; 5), voluntary patient” (s 1), Consent (s. 7), Substitute decision maker (s. 38)
	Children and Family Services Act (CFSA), 1990**	Child (s.1(e)), Child in need of protection (s. 22(2)(e)), Consent (s. 41(4)(c); s 74(1)), Child’s views (s.78A(3)(a) & (b)), Placement of children in care (s.34(2)), Legal rights (s.36(1)(c) & (d); 37(1) & (2); 48(3))
Prince Edward Island	Age of Majority Act, 1988	Age of majority (s. 1; 2; 3.1)
	Health Information Act	Capacity (s. 1(b)), Access to one’s own PHI (s. 8 (2); 10(1)(a)), Informal access (s. 12(a)), Capacity to consent (s.14(1)), Capacity not static (s. 14(2), Presumption of capacity (s.14(3)(4)), Disclosure with and without consent (s.23(5)), Exercise of rights (s.76.(1)(c)), Precedence of this/other acts (s.7(1))
	Freedom of Information and Protection of Privacy Act (FOIPP)	Access to one’s own PI (s.16), Disclosure with and without consent (s.37(1)), Who may exercise rights, (s. 71(1)(d))
	Consent to Treatment and Health Care Directives Act, 1996	Capacity (s.1(b)), Presumption of capacity (s. 3(1)), Informed consent (s. 6(2)), Capacity for treatment decisions (s. 7(1)), Capacity not static (s. 7(3)& (4)), Substitute decision maker (s.11(3)), Directives (s. 20(1)), Precedence of this/other acts (s. 2(1))
	Mental Health Act, 1994	Consent (s. 23(1) & (2)), Capacity to consent (s. 23(3)), Emergency medical treatment (s. 23(11) & (12)), Access to one’s information (s. 31(3))
	Child Protection Act, 2000**	Child and youth (s. 1(h) & (y)), Best interests of child (s. 2(2)), Access to one’s own information (s. 7(2)(a)), Child in need of protection (s. 9 (o) & (p); 13), Consideration of child’s views(s. 16(3); 18(2); 20(3)(b)), Child objections (s. 20(c) & (d)), Legal rights (s. 11(5)(b); 34 (1)(a) & (b); 35(1))
	Adoption Act, 1992**	Best interests of the child (1(d)), Adopted person (s.1(a)), Consent of child (s. 22(a); 40(3)) , Legal rights (s. 34), Disclosure of Identifying Information (s. 48.1; 48.3; 48.5; 48.7),Post-Adoption Register (s.49)
	Family Law Act, 1995**	Parental Control (s. 31(2))
	Child and Youth Advocate Act, 2019	Child (s.1(c)); Youth (s.1(n))
Newfoundland and Labrador	Age of Majority Act, 1995	Age of majority (s. 2.)
	Personal Health Information Act, 2011	Access to one’s own PHI (s. 52 (1); 58(2)((d)(i)), Informal Access (s. 59 (1)), Knowledgeable consent (s. 23(2)), Disclosure with and without consent (s. 36(1)), Exercise of rights (s. 7(d)), Precedence of this/other statutes (s. 1(1); 9; 12(1))
	Access to Information and Protection of Privacy Act (ATIPPA), 2015	Access to one’s own PI (s.37), Disclosure with and without consent (s.68), Exercise of rights (s. 108(d)), Precedence of this/other acts (s. 7(1))

	Advance Health Care Directives Act, 1995	Who may make an advance health care directive (s. 3), Presumption of competency (s.7), Mental competency (s.14), Substitute decision maker (s. 10)
	Mental Health Care and Treatment Act, 2006	“representative” and next of kin (s. 2(1)(m) & (t))
	Children and Youth Care and Protection Act, 2010**	Child (s. 2(1)(s)), Youth (s. 2(1)(s)), Best interests of child (s. 9(1)(e)), Child in need of protection (s. 10(1)(g)), Youth services agreement (s. 67-68), Order for treatment (s. 30 (1)), Legal rights (s.18(1)(c); 23(1); 25(3)(b); 27(2)(b); 30(2), etc.), Right to information (s. 71(1))
	Adoption Act, 2013**	Child (s. 2(e)), Best interests of child (s.4.(3)(e)),Consent (s.12(1)(c); 19(1)(a); 22; 34(2); 51(3); 52 (3), Revocation of consent by child (s.24(1)), Consent of minor parent (s. 20), Views of child considered (s.34(2))
	Children’s Law Act, 1990***	Application or response by minor (s. 70(1)), Consent (s. 70 (2)), Legal rights of child (s. 71), Withdrawal from parental control (s. 73)
Nunavut	Age of Majority Act, R.S.N.W.T. 1988, c.A-2	Age of majority (s. 2; 3; 4(1)(a))
	Access to Information and Protection of Privacy Act (ATIPP), 1996	Access to one’s own PI (s.21), Disclosure with and without consent (s. 47 - 48), Exercise of rights by other persons (s.52(1)(d)), Precedence of this/other acts (s.4(2))
	Mental Health Act, 1988	Mentally competent (s. 1), Consent to treatment (s. 19.1(1)), Substitute consent giver (s. 19.2(1); 19.4 (3)), Appointment of a representative (s. 19.5(1))
	Child and Family Services Act, 1998**	Child and Youth (s.1), Best interests of child (s. 3(i)), Views of child (s 5; 27(2)(a)(v)), Capacity for voluntary agreement (s. 6(1)), Child in need of protection (s. 7(3) (g) & (j); 27(2)(a)(v)), Consent of child. (s.15(2)), Director rights and responsibilities for child cease (s. 35(1)(f); s. 48(1)(a) & 48(2)), Legal Rights (14(1)(a) & 14(2); 25(b); 29.2; 29.5(5); 31(7) (b); 48(3); 49(1); etc.)
	Adoption Act, 1998**	Child (s.1(1)), Best interests of child (s.3(d)), Views of child (s.7(4) &(5); 18(3)&(4); 34(2)), Consent (s.23; 25), Personal histories/adoption registers (s. 50- 62)
	Children’s Law Act, 1998**	Best interests of child (s. 17(2)(b), Consent of minor (s. 55), Right of child to withdraw (s. 56)
	Representative for Children and Youth Act, 2013**	Child and youth (s.1(a) &(b)), Consent for disclosure of personal information in the annual report to the Speaker of the Legislative Assembly (s.35(5)-(7))
Northwest Territories	Age of Majority Act, R.S.N.W.T. 1988, c.A-2	Age of majority (s. 2; 3; 4(a))
	Health Information Act (HIA), 2015	Access to one’s own PHI (s. 113), Knowledgeable consent (s. 15(1)), Disclosures with and without consent (s. 58(1)(a) &(b); 66), Who may exercise rights (s. 25(1)(2)&(3)), Precedence of this/other acts (s. 5(1))
	Access to Information and Protection of Privacy Act, 1996	Access to one’s own PI (s. 5(1); 13-25), Disclosure with and without consent (s. 48(1)(l) & (p) & (s) & (u)), Who may exercise rights (s. 52 (1)(d)), Precedence of this/other acts (s. 4)
	Personal Directives Act, 2006	Adult (s. 1)
	Mental Health Act, 2018	Mentally competent to consent (s. 1(3)), Consent to admission (s. 3(2)), Consent to treatment (s. 26; 28(1)), Treatment despite refusal of consent by patient and refusal of consent by SDM (s. 33(1)& (2)), Substitute decision maker (s. 30(1) & (4)).
	Adoption Act, 1998**	Child (s.1(1)), Best interests of child (s.3(d)), Views of child (s.7(4) &(5); 18(3)&(4)), Adoption order (s.34(2)), Consent (s.23; 25), Personal histories/adoption registers (s. 50- 62)
	Children’s Law Act, 1998**	Best interests of child (s. 17(2)(b)), Consent of minor (s. 55), Right of child to withdraw (s. 56)
	Child and Family Services Act, 1998**	Child (s.1), Best interests of child (s. 3(i)), Views of child (s. 5; 27(2)(a)(v)), Capacity for voluntary agreement (s. 6(1)), Child in need of protection (s. 7(3) (g) & (j); 27(2)(a)(v)), Consent of child (s.15(2)), Director rights and responsibilities for child cease (s. 35(1)(f); s. 48(1)(a) & 48(2)), Legal Rights. (14(1)(a) & 14(2); 25(b); 29.2; 29.5(5); 31(7) (b); 48(3); 49(1))

Yukon	Age of Majority Act, 1972	Age of Majority. (s. 1; 2; 3(1))
	Health Information Privacy and Management Act (HIPMA)	Access to one’s own PHI. (s. 27(1)(a)(i)), Presumption of capacity (s. 40(a)), Capacity to consent (s. 45(1)), Capacity not static (s. 45(2) & (3)), Disclosures with and without consent (s. 57 & 58), Substitute decision maker (s. 46(1); 42(6)(b), (d) & (g)), Precedence of this/other acts (s. 11)
	Access to Information and Protection of Privacy Act (ATIPP Act), 1996	Access to one’s own PI (s. 5(1); 22), Disclosure of personal information (s. 36 - 39), Exercise of right or power (s. 62(d))
	Care Consent Act, (Schedule B to the Decision Making, Support And Protection To Adults Act, 2003)	Right to consent (s. 3), Capacity (s. 6(2)&(3)), Who may consent (s. 12 (1)(e); 12(2)(b)), Who can make a directive (s. 27(1))
	Children's Law Act, 2002**	Best interests of child (s.30(1)(b)), Adoption (s.83(1)), Notice (s.120 (c)), Reasons for being taken into care (s.123(2)), Legal rights (s.145(2); 146(2))
	Child and Family Services Act, 2008**	Child and youth (s.1), Consent for adoption (s.103(1)(a); 106(1); 109)
	Childcare Act, 2002	Child (s.2)
Canada	Criminal Code, 1985**	Conviction (s. 13), Duty to provide necessities (s. 215), Abandoning child (s. 218), Consent to sexual activity (s. 150-160).
	Youth Criminal Justice Act, 2002	Child and Young Person (s.2(1))
	An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts, 2019	Sexual offences and consent to sexual activity (s. 51(5)), Abduction of adolescent (s.280(1); (s.281)), Marriage under age of 16 years (s.293.2)
	Privacy Act, 1985 (and regulations)	Access to own information (s. 12(1)), Disclosure with and without consent (s.8), Exercise of rights or actions (regulation s. 10(a))
	The Personal Information Protection and Electronic Documents Act (PIPEDA), 2004	Valid Consent (s.6.1), Collection, use or disclosure without knowledge or consent (s. 7(1) – (3)).

TABLE 2
Selected statutory provisions relating to the rights of minors in health information, healthcare, social services and other legal rights by age
(version date: October 2020)

Note: The legal age is set for various rights and activities and may or may not match the age of majority in a province or territory. Additionally, besides age, there may also be other conditions such as mental capacity that can restrict some legal rights of individuals. Legal ages also differ as to whether the individual needs the consent of a parent/guardian or not for an activity.

Acts/Provisions relating to:	BC	AB	SK	MB	ON	QC	NB	NS	PEI	NL	NUN	NWT	YK
Age of Majority	19	18	18	18	18	18	19	19	18	19	19	19	19
Health Information Privacy Rights													
<i>Right of access to own PHI</i> Note: Access may be denied if it could harm the person or another or threaten public safety.	No legal age	No legal age	No legal age	No legal age	No legal age	14	No legal age Note: 16 in Mental Health Act	No legal age	No legal age	No legal age	No legal age	No legal age	No legal age
<i>Who may exercise rights and powers of statute</i>		Minor if understands nature or consequences; parent if minor does not understand	Minor if understands nature or consequences; parent if not unreasonably invasive of minor’s privacy	Parent if minor incapable of health decisions	No provision	Minor 14+ may; parent/tutor must for under 14; and may for 14+ but minor may object	No provision	No provision	Parent if not unreasonably invasive of minor’s privacy	Parent if minor does not understand nature or consequences	No statute	Minor if understands nature or consequences; parent if minor does not understand	No provision
<i>Consent for collection, use and/or disclosure (CUD) of PHI</i>	Act does not use CUD terms; no age to make disclosure directive	No age	No age – informed consent	No age – knowledgeable consent	No age – knowledgeable consent; individual is presumed capable to consent	Act does not use CUD terms; 14+ to have access to own record of PHI	No age – knowledgeable consent; individual is presumed capable to consent	No age – knowledgeable consent; any capable individual may consent regardless of age	No age – individual is presumed capable of consent	No age, consent must be knowledgeable	No statute	No age, consent must be knowledgeable	No age, presumption of capacity, regardless of age
<i>Who may exercise rights/consent to CUD of PHI</i>	Minor may make/revoke disclosure directive if understands nature or consequences; parent may make on minor’s behalf	Minor if understands; parent if does not understand	Minor if understands; parent for minor if not privacy invasive	Parent if minor incapable of health decisions	Parent of minor under 16, unless PHI re minor’s own decision under HCCA or CFSA	Parent/tutor must for minor under 14; and may for minor 14+ unless minor objects	Parent if minor incapable of consenting	Parent of minor incapable of consenting	Parent for minor if not privacy invasive	Parent for minor if minor does not understand nature of the rights	No statute	Minor if understands; parent if minor does not	Parent for minor incapable of consenting
Other Privacy Statues													
<i>Access to own personal information (PI)</i>	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	14 if seeking own medical or social info 14+ can consent to the holder of parental authority or tutor receiving a copy of their information. In this case, their (child’s) consent must be included	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm	No age references Exception for harm

						with the access request.							
Parent/Guardian/Other may exercise rights of minor	Yes, if minor is incapable	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes - if individual is under 16	Yes - if individual is under 14	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy	Yes, if not unreasonably invasive of minor’s privacy
Healthcare Treatment Statutes													
Consent to healthcare treatment depending on maturity level	No legal age	No legal age	No legal age	16 presumed capable; under 16 presumed not capable	No legal age; 12 for consent to mental health treatment	14+ with exceptions	16 presumed capable; under 16 if capable	No legal age	No legal age	16 presumed capable; under 16 presumed not capable	No legal age	No legal age	No legal age
Consent to Organ, Blood, Tissue Donation													
Able to donate organs/tissues for medical purposes	14	18	16	18	16	14; under 14 with parental consent	No age; children – with parental consent	16	16	16; 12-15 with parental consent	16	16	19; under 19 with parental consent
Able to donate blood	17	17	17	17	17	17	17	17	17	17	17	17	17
Criminal Code and Related Statutes													
Consent to have sex	16	16	16	16	16	16	16	16	16	16	16	16	16
Age of consent if partner is less than 2 years older	12	12	12	12	12	12	12	12	12	12	12	12	12
Age of consent if partner is less than 5 years older	14	14	14	14	14	14	14	14	14	14	14	14	14
Marry with parent’s permission	16	16	16-17	16	16	16	16	17	16	16	16	16	15
Marry without parent’s permission	19	18	18	18	18	18	18	19	18	19	19	19	19
Responsible for crime – protected by the Youth Criminal Justice Act	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17	12-17
May be sentenced for crimes under adult law	14	14	14	14	14	14	14	14	14	14	14	14	14
Social Services, Family and Related Statutes													
Consent needed for adoption	12	12	12	12	7	10, if able to express will; or 14	12	12	12	12	12	12	12
Withdraw from parental control	N/A	N/A	N/A	N/A	16	16	16	N/A	16	16	16	N/A	N/A
Name change with parent’s permission	12	12	14		16	14	16		12	12			
Name change without parent’s permission	19	18	18	18	18	18	19	19	18	16	19	19	19
Leave home without parent’s permission	19	16	16	12	16	18	12			16		19	18
Consent or consistent with wishes (generally)	12 – for custody, access & supervision orders; non-parent guardian	12 – for some access, temporary and perm guardians	12 – for guardian for property 16 - for residential and financial services 14 – consent for name change (if a parent wishes to	16 - for medical treatment unless incapable 12 – consent for name change (if a parent wishes to change child's name)	12 –for openness agreement 16 - for service provision	14 – right to object to/ refuse	12 –adoption name change, openness agreement 16 – can refuse protection services	12 for removal from parental custody	12 – consent for name change (if a parent wishes to change child's name)	12 – consent for name change (if a parent wishes to change child's name)	Minors – consent for access, custody, guardianship	12 – may consent for plan of care agreement	

			change child's name)										
Information, participation in proceedings under the acts	12 –access to info, notice, etc. 16 – initiate FLA proceeding	12 – access to info, notice, etc.		12 – access to info, notice, etc.	12 – notice, participate in hearings	14 – notice, etc.		16 - applications, party to proceedings	12 – access to info; notice, etc.	16 – make agreement 12 – info, notice, etc.	12 – notice, applications, hearings etc.	12 – applications, notice, hearings	14 – make application Child – notice, if understand
Employment													
Able to work with parent’s consent	12	12	14-15	Under 16 only with a Child Employment Permit, with parents' consent	14	No minimum age	14 (only part-time under 16)	Under 14 and 16 depending on occupation	Under 16		Under 17	Under 17	Under 16
Able to work without parent’s consent	15	15	16	16	14, depending on occupation	14	16	16	16	16	17	17	16; 18 for some occupations
Entitled to full minimum wage	18	18	Most employees at any age	Employer cannot pay someone less than minimum wage, even if under 18	18	Not everyone is entitled - based on type of work, not based on age		N/A - minimum wage rules do not apply - based on occupation, not age	Everyone			15	Everyone
Other Legal Rights By Age													
Able to access/see school records	No legal age	No legal age	No legal age	18 (minors cannot access student records until 18, but parents can access until then; after the minor turns 18, parents need their consent to look at records)	No legal age	No legal age	No legal age	No legal age	No legal age	No legal age	No legal age	No legal age	No legal age
Able to leave school	16	16	16	18	17	16	18	16	16	16	16	16	16
Get a driver’s licence with parent’s permission	16	14-16	15	16	16	16	16	16	16	16	15	16	15
Get a driver’s licence without parent’s permission	19	18	16	18	16	16		16	16	17	18	18	18
Apply for own passport	16	16	16	16	16	16	16	16	16	16	16	16	16
Vote in a provincial or federal election	18	18	18	18	18	18	18	18	18	18	18	18	18
Able to run in an election	18	18	18	18	18	18	18	18	18	18	18	18	18
Obtain a credit card	19	18	18	18	18	18	19	19	18	19	19	19	19
Able to write a will	16	18	18	18	18	18	19	19	18	17	19	19	19
Drink/purchase alcohol	19	18	19	18	19	18	19	19	19	19	19	19	19
Buy cigarettes	19	18	18	18	19	18	19	19	19	19	19	19	18
Get a tattoo or piercing	No legal age; parent’s consent recommended for minors under 19	No set age, but generally 18+ without parental consent	18	18	18	18	18	18 17 - with parental consent	18 16 - with parental consent	16 12-16 with parental consent			16 Under 16 - with parental consent

TABLE 3
Age of consent summary

Legal rights/ Provisions relating to:	BC	AB	SK	MB	ON	QC	NB	NS	PEI	NL	NUN	NWT	YK
Age of majority	19	18	18	18	18	18	19	19	18	19	19	19	19
Minors' age of access to their own PHI	No age; age for access depends on maturity level	No age	No age, based on capacity	No age	No age	14+	No age; 16+ for access to psychiatric records, according to the Mental Health Act	No age	No age	No age	No age	No age	No age
Minors' age of consent to collect, use and disclose PHI	Age for consent to disclosure depends on maturity level/capacity	No age, based on capacity/maturity	- In The Health Information Protection Act: No age (under 18, if capable); - In The Health Care Directives and Substitute Health Care Decision Maker's Act: Individuals 16+ of age can consent to collection, use and disclosure if capable to consent to healthcare treatment	No age, based on capacity - if capable to make a healthcare decision	No age, based on capacity	14+	No age	No age, based on capacity	No age, based on capacity	No age	No age	No age	No age, based on capacity
Minors' age of consent to healthcare treatment	- Adult (19+) is presumed capable to consent under Health Care Consent and Care Facility Admission Act. - Minors age 16 may consent to or request mental health treatment (according to Mental Health Act). - Children under 19 may consent if capable (if understand consequences), according to Infants Act.	No age, based on capacity	No age	16+ presumed capable; under 16 presumed not capable	- In Health Care Consent Act: No age for consent – person presumed capable; 16+ and capable for advance wishes; - In Substitute Decisions Act: age 16+ – presumption of capacity to consent to own self-care; - In Child, Youth and Family Services Act: age 12+ can consent for counselling services; - Mental Health Act: age 12 for consent to mental health treatment	14+ with exceptions	16 presumed capable for consent to medical treatment; under 16 - can consent if capable, according to the Medical Consent of Minors Act, and Mental Health Act.	No age references, but only adult is presumed capable, according to the Hospitals Act.	- In the Consent to Treatment and Health Care Directives Act: No age, based on capacity; 16+ to make a directive; - In the Mental Health Act: 16+ can consent if capable	In the Advance Health Care Directives Act: 16 presumed competent to make health care decisions; under 16 presumed not. Substitute decision maker must be 19.	No age, based on capacity	No age, based on capacity	No age, based on capacity. Substitute decision maker must be 19, according to the Care Consent Act.

The age of majority in Canada is determined by each province and territory in Canada and varies between the ages of 18 and 19.

A person younger than the age of majority is considered a minor.

TABLE 4
Age of majority by province or territory

Age of majority by province or territory	
Province/Territory	Age of majority
Northwest Territories (NWT)	19
Alberta (AB)	18
Newfoundland and Labrador (NL)	19
British Columbia (BC)	19
Manitoba (MB)	18
New Brunswick (NB)	19
Nova Scotia (NS)	19
Nunavut (NUN)	19
Ontario (ON)	18
Prince Edward Island (PEI)	18
Quebec (QC)	18
Yukon Territory (YT)	19