



KNOW YOUR RIGHTS

Use these legal provisions to RECLAIM your rights!

NOTE: THE DECLARED EMERGENCY IN ONTARIO WAS REVOKED ON JUNE 9TH, 2021. ONTARIO IS NOT IN A STATE OF DECLARED EMERGENCY.

<https://www.ontario.ca/laws/regulation/210264>

1. ONTARIO MANDATES:

1.a Business Vaxx Passport:

This is a provincial bylaw that is enforced by municipal bylaw officers, and in some cases police officers. This is a very low level of legislation, and one that does not supersede federal legislation.

<https://www.ontario.ca/laws/regulation/200364>

1.b Directive #6 - High Risk Scenario:

Mandating hospitals and home and community care service providers to have a COVID-19 vaccination POLICY for employees, staff, contractors, students and volunteers, and for ambulance services to have a COVID-19 vaccination policy for paramedics.

[https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/doc](https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/vaccination_policy_in_health_settings.pdf)

[s/directives/vaccination_policy_in_health_settings.pdf](https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/directives/vaccination_policy_in_health_settings.pdf)

1.c Employer Vaxx Policy (this is not a mandate):

This is a MUNICIPAL public health guideline. It is NOT A BYLAW, IT IS NOT LEGISLATION... it is a guideline!

<https://www.toronto.ca/home/covid-19/covid-19-reopening-recovery-rebuild/covid-19-reopening-guidelines-for-businesses-organizations/covid-19-guidance-employers-workplaces-businesses/covid-19-vaccine-information-for-employers/?accordion=establishing-a-vaccination-policy-for-your-workplace&fbclid=IwAR2syxKpOMtB031Z6LHqKuW0LHU5UtrAZt8J5NvYjwyig1r3UU3elcYpB98>

2. PRIVACY LAWS:

Your right to privacy, and to not disclose your confidential medical information - DO NOT DISCLOSE YOUR PERSONAL MEDICAL INFORMATION TO ANYONE, NO ONE HAS THE RIGHT TO FORCE YOU TO SHARE IT:

2.a Canadian Bill of Rights (CBR) S.C. 1960, c. 44,

Section 1(a) the right of the individual to life, liberty and security of persons, which protects the right of informed consent for medical procedures and the right to privacy. These violations render the vaccine passport regulations to be of no force or effect of law because they violate the CBR.

How this applies: Anyone who is enforcing the regulations vaccine passports with our employees you are acting as an enforcement agent for public health, (does not apply to employers as there is NO order for employers). Therefore, you are regulated under the Criminal Code of Canada as a public officer and therefore are obligated to regard the rights and freedoms provided in the CBR.

<https://laws-lois.justice.gc.ca/eng/acts/c-12.3/page-1.html>

2.b Case law implied bill of rights:

The Credit of Alberta Regulation Act; and the Accurate News and Information Act, SCR 100 ,1938

Summary: The Bank Taxation Act; The Supreme Court of Canada ruled on the Reference re Alberta Statutes. It found that the Accurate News and Information Act, along with the others submitted to it for evaluation, was ultra vires (beyond the powers of) the Alberta government. In the case of the Accurate News and Information Act, the court found that the Canadian constitution included an "implied bill of rights" that protected freedom of speech as being critical to a parliamentary democracy. This determined that the provinces cannot override fundamental rights. **This determined that the provinces cannot override fundamental rights.**

<https://www.canlii.org/en/ca/scc/doc/1938/1938canlii1/1938canlii1.html>

2.c Case law right to sue for breach of privacy:

Jones v. Tsige, 2012

Summary: The Ontario Court of Appeal declared that the common law in Canada recognizes a right to personal privacy, more specifically identified as a "tort of intrusion upon seclusion", as well as considering that appropriation of personality is already recognized as a tort in Ontario law.

THIS ALLOWS YOU TO SUE FOR BREACH OF PRIVACY

<https://www.canlii.org/en/on/onca/doc/2012/2012onca32/2012onca32.html>

2.d Freedom of Information and Protection of Privacy Act (FOIPOP)
(ONTARIO)

<https://www.ontario.ca/laws/statute/90f31>

2.e Personal Information Protection and Electronic Documents Act 2000

(PIPEDA)

<https://laws-lois.justice.gc.ca/ENG/ACTS/P-8.6/index.html>

2.f Personal Health Information Protection Act 2004 (PHIPA) (ONTARIO)

<https://www.ontario.ca/laws/statute/04p03>

2.g Occupational Health and Safety Act R.S.O.1990,c.0.1. (ONTARIO)

See more below under "OHSA"

2.h Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 (ONTARIO)

<https://www.ontario.ca/laws/statute/90f31>

2.i Privacy Act (R.S.C., 1985, c. P-21)

<https://laws-lois.justice.gc.ca/eng/acts/P-21/>

2.j Office of the the Privacy Commissioner of Canada RE: COVID, Joint Statement by Federal, Provincial and Territorial Privacy Commissioners - in this statement they reiterate there must be consent, privacy must be respected. Please take a moment to review.

https://www.priv.gc.ca/en/opc-news/speeches/2021/s-d_20210519/

3. Video from a lawyer discussing your rights, and if they can successfully: implement these policies, and it doesn't look like they have the framework to do so.

<https://www.youtube.com/watch?v=a3LGOAFGX9g>

4. COVID TESTING IS A CRIMINAL OFFENCE (PCR and rapid test are genetic as they are looking at pieces of nucleic acid, which is RNA/DNA):

4.a Bill S-201 - An act to prohibit and prevent genetic discrimination:

It is a criminal offence in Canada to use a genetic test to discriminate under Bill S-201, you could literally call the police and report a crime if they tried to force one on you.

https://www.parl.ca/DocumentViewer/en/42-1/bill/S-201/royal-assent?fbclid=IwAR3AWVatXu7SylZieUAiqSFfjK-j1hUNUt1-lv0AjB2zuYH8N_ef7sC0QYs

4.b Case law on Bill S-201

Supreme Court ruling from 2020 (**DURING THE PANDEMIC**),
Summary - **MAKING FORCED TESTING A CRIMINAL OFFENCE:**

<https://www.canlii.org/en/ca/scc/doc/2020/2020scc17/2020scc17.html>

5. INFORMED CONSENT CASE LAW:

Parmley vs Parmley, 1945

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Informed consent medical.

Summary: Consent must be made freely and information about the risks must be given.

<https://www.canlii.org/en/ca/scc/doc/1945/1945canlii13/1945canlii13.html>

Hopp vs Lepp, 1980

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Informed consent medical.

Summary: Consent must be made freely and information about the risks must be given.

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2553/index.do>

R vs Ewanchuk, 1999

If no consent, then assault.

Summary: Where there is a threat of harm or reprisal or pressure from an

authority there is no consent and therefore the act is assault. **FORCED MASKS, FORCED VAXX, QUARANTINE INCLUDING BUSINESS LOCKDOWN AND STAY HOME ORDER IS A CRIMINAL OFFENCE**

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1684/index.do>

6. OCCUPATIONAL HEALTH AND SAFETY ACT (OHSA) (ONTARIO):

Section 63, Information Confidential:

Subsection (2) Employer access to health records:

No employer shall seek to gain access, except by an order of the court or other tribunal or in order to comply with another statute, to a health record concerning a worker without the worker's written consent. R.S.O. 1990, c. O.1, s. 63 (2).

Section 25, Duties of the Employer:

Subsection (1) An employer shall ensure that,

(h) take every precaution reasonable in the circumstances for the protection of a worker;

Subsection 28, Duties of the Worker:

Subsection (3) Consent to medical surveillance

A worker is not required to participate in a prescribed medical surveillance program unless the worker consents to do so R.S.O. 1990, c.O.1, sec 28.

Section 50, No discipline, dismissal, etc., by employer:

Subsection (1) No employer or person acting on behalf of an employer shall,

(a) dismiss or threaten to dismiss a worker;

(b) discipline or suspend or threaten to discipline or suspend a worker;

(c) impose any penalty upon a worker; or

(d) intimidate or coerce a worker,

Section 66, Penalties:

Subsection (1) Every person who contravenes or fails to comply with,

- (a) a provision of this Act or the regulations;
- (b) an order or requirement of an inspector or a Director; or
- (c) an order of the Minister,

is guilty of an offence and on conviction is liable to a fine of not more than \$100,000 or to imprisonment for a term of not more than twelve months, or to both. R.S.O. 1990, c. O.1, s. 66 (1); 2017, c. 34, Sched. 30, s. 4 (1).

7. HEALTH CARE PROFESSIONALS:

Health Protection and Promotion Act (ONTARIO):

Section 77.7 states health care workers are required to follow the orders, under the following conditions:

1. No coercion of professionals:

(4) For greater certainty, a directive under subsection (1) may not be used to compel regulated health professionals to provide services without their consent. 2007, c. 10, Sched. F, s. 15.

2. No conflict with OHSA:

(5) Despite subsection (1), in the event of a conflict between this section and the *Occupational Health and Safety Act* or a regulation made under it, the *Occupational Health and Safety Act* or the regulation made under it prevails. 2007, c. 10, Sched. F, s. 15.

<https://www.ontario.ca/laws/statute/90h07>

Enforcement of Law/Public Health Agents within the Criminal Code of Canada

This applies to businesses and organization that are open to the public, including institutions and schools, this does not apply to employers.

ALL laws in Canada are federally regulated through the Criminal Code of Canada (CCC). As per section 25(1) of the CCC, any enforcement of this bylaw by any private person, peace officer, public officer or by virtue of his office, and can be met with criminal and/or civil liability.

This bylaw also violates the Canadian Bill of Rights, sections 1(a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law, and 1(b) the right of the individual to equality before the law and the protection of the law.

Enforcement of this bylaw is a crime under the following sections:

1. Uttering Threats

264.1 (1) Every one commits an offence who, in any manner, knowingly utters, conveys or causes any person to receive a threat

(a) to cause death or bodily harm to any person;

Punishment

(2) Every one who commits an offence under paragraph (1)(a) is guilty of

(a) an indictable offence and liable to imprisonment for a term not exceeding five years; or

(b) an offence punishable on summary conviction.

2. Assault

265 (1) A person commits an assault when

(a) without the consent of another person, he applies force intentionally to that other person directly or indirectly;

(b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or

(3) For the purposes of this section, **no consent** is obtained where the complainant submits or does not resist by reason of

(a) the application of force to the complainant or to a person other than the complainant;

(b) threats or fear of the application of force to the complainant or to a person other than the complainant;

- (c) fraud; or
- (d) the exercise of authority.

4. Extortion

346 (1) Every one commits extortion who, without reasonable justification or excuse and with intent to obtain anything, by threats, accusations, menaces or violence induces or attempts to induce any person, whether or not he is the person threatened, accused or menaced or to whom violence is shown, to do anything or cause anything to be done.

5. Public Incitement of Hatred

319 (1) Every one who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.

Therefore, enforcing the vaccine passport bylaw as doing is a criminal offence.

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