

# **Canadian Forces Reservists Protection Act**

CHAPTER 13 OF THE ACTS OF 2006



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CHAPTER 13 OF THE ACTS OF 2006

**An Act to Protect  
the Civilian Employment  
of Members of and Students in  
the Canadian Forces Reserves**

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**Short title**

**1** This Act may be cited as the *Canadian Forces Reservists Protection Act*. 2006, c. 13, s. 1.

**Purpose of Act**

**2** The purpose of this Act is to protect the civilian employment of members of and students in the Canadian Forces Reserves. 2006, c. 13, s. 2.

**Interpretation**

**3** In this Act,

(a) “Reserves” means that component of the Canadian Forces referred to in the *National Defence Act* (Canada) as the reserve force;

(b) “service” means a period of active duty or training in the Reserves;

(c) “student” means a public or private school, community college or university student;[.] 2006, c. 13, s. 3.

**Right of student to return to studies**

**4 (1)** Every student has a right to return to that student’s program of studies at the beginning of the next semester or sooner if practicable if the student

(a) provides the student’s school, community college or university, as the case may be, with reasonable notice of the student’s intention to

- (i) take a leave of absence for a period of service, and
- (ii) return to the school, community college or university upon completion of the service; and
- (b) returns to or applies to return to the school, community college or university within a reasonable time upon completion of the student's service.

(2) Every school, community college or university shall allow a student to return to the student's studies after service without any financial penalty.

(3) For greater certainty, a student is not required to pay any tuition or fees in addition to those that the student would have been required to pay if the student had not taken the leave of absence. 2006, c. 13, s. 4.

#### **Minister of Education may investigate**

5 The Minister of Education may investigate any violations of this Act and attempt to resolve them. 2006, c. 13, s. 5.

#### **Offence and penalty**

6 Every person who violates any provision of this Act is guilty of an offence and liable on summary conviction to a fine not exceeding two thousand dollars. 2006, c. 13, s. 6.

#### **Regulations**

- 7 (1) The Governor in Council may make regulations
- (a) prescribing the time within which a student must return to a school, community college or university or apply to return following service;
  - (b) limiting periods or classes of training as service for the purpose of this Act;
  - (c) defining any word or expression used but not defined in this Act;
  - (d) the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the *Regulations Act*. 2006, c. 13, s. 7.

#### **Labour Standards Code amended**

8 and 9 *amendments*

**Proclamation**

**10** This Act comes into force on such day as the Governor in Council orders and declares by proclamation. 2006, c. 13, s. 10.

Proclaimed (except ss. 3-7) - April 24, 2007  
In force - April 24, 2007

ss. 3-7 in force - July 1, 2007

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