

Annex A

C223 Selected sub national measures protecting Canadians from exposure to tobacco smoke

Nunavut

Nunavut's *Tobacco Control Act* prohibits the sale of tobacco products to persons under the age of 19, the sale of products appearing to be tobacco products, and the sale of tobacco in certain settings (nursing homes, health facilities, pharmacies, etc.).

British Columbia

The government of British Columbia has enacted the *Tobacco Control Act* (TCA) section 2.3 and the Tobacco Control Regulation (TCR) section 4.22 which ban smoking in indoor public and work spaces and provide a 3 meter buffer zone from doorways, open windows and air intakes. This legislation applies throughout British Columbia.

Alberta

In Alberta, the *Tobacco and Smoking Reduction Act* and *Tobacco and Smoking Reduction Regulation* prohibits smoking in indoor public places, workplaces, public vehicles, work vehicles and within 5 metres from a doorway, window or air intake to a public place or workplace. Smoking in private vehicles with children present is also prohibited.

In Alberta, certain communities have bylaws that are more restrictive than the provincial legislation. These bylaws offer further protection from second-hand smoke. Some of them include bans on the smoking of water pipe and e-cigarettes in public establishments, while other municipalities ban smoking within hotel rooms.

The Alberta Health Services Tobacco and Smoke Free Environments Policy prohibit the use of tobacco products and prevent exposure to second hand smoke at Alberta Health Services sites across the province.

Saskatchewan

Provincial Acts and municipal bylaws account for public smoking bans currently in place.

The Ministry of Health's *Tobacco Control Act* prohibits smoking or holding lit tobacco in enclosed public places (EPP), within 3 metres of an EPP, and bans all tobacco use on school grounds. The Act and Regulations can be found at:

<http://www.qp.gov.sk.ca/documents/english/Statutes/Statutes/t14-1.pdf>

<http://www.qp.gov.sk.ca/documents/english/Regulations/Regulations/t14-1r1.pdf>

Smoking is banned in all enclosed workplaces and worksites in Saskatchewan by section 77 of the Saskatchewan Occupational Health and Safety Regulations. There are some exemptions that are listed in the link below:

<http://www.lrws.gov.sk.ca/new-workplace-smoking-ban-faq>

In some municipalities, the bylaws go beyond the provincial legislation to ban smoking in certain outdoor spaces, such as outdoor eating areas. Some stadiums are also voluntarily designated as smoke-free spaces.

Manitoba

Manitoba provides a complete ban on smoking in enclosed public places and indoor workplaces.

Ontario

The Smoke Free Act (SFOA) came into effect in Ontario on May 31, 2006. SFOA allows certain designated facilities to operate Controlled Smoking Areas (CSAs) so that residents only (not staff) may smoke. The CSA must meet requirements as outlined in the SFOA and regulation and must be registered with the Ministry of Health and Long-Term Care (MOHLTC).

Private vehicles must be smoke-free if a passenger within the vehicle is less than 16 years of age. Regulatory amendments were also brought into effect on January 1, 2015 to : prohibit smoking of tobacco on and around children's playgrounds and publicly-owned sporting areas; prohibit sale of tobacco on post-secondary campuses and in schools, child care centres and private home day cares; and, prohibit smoking on all restaurant and bar patios.

The 2015 Pan American and Parapan American (Pan Am/Parapan Am) Games were hosted in the City of Toronto, Ontario July 10-26 and Aug 7-15 respectively. Toronto Public Health partnered to create a policy that would declare the Pan Am/Parapan Am Games smoke-free and secondly, as a legacy component, educate the public about the importance of smoke-free outdoor public spaces, particularly sporting fields.

Québec

L'usage du tabac est interdit dans pratiquement tous les lieux fermés autre qu'une résidence privée. Des restrictions d'usage extérieures sont également en vigueur. À ce chapitre, de nouvelles interdictions extérieures s'ajoutent suite à la sanction de la Loi visant à renforcer la lutte contre le tabagisme le 26 novembre 2015, notamment sur les terrasses commerciales. Des directives gouvernementales administratives interdisent de fumer dans les centres de détention québécois et des municipalités ont adopté des règlements pour interdire de fumer dans les parcs publics sous leur responsabilité. Des établissements de santé ont adopté des politiques visant la création d'environnement sans fumée (intérieur et extérieur). Tous les établissements de santé de même que les établissements d'enseignement post secondaires devront avoir adopté ce type de politique d'ici le 26 novembre 2017.

New Brunswick

New Brunswick Smoke-free Places Act:

<http://nbatc.ca/en/uploads/Bill-75.pdf>

The New Brunswick Smoke-Free Places Act applies to all enclosed public places, indoor workplaces and school grounds. It also prohibits smoking in vehicles with passengers under age 16 years. In addition, in 2015, it prohibits smoking, vaping (any type of liquid) and the use of water pipes (any type of shisha) in many outdoor settings with a protective parameter, including; doors, entrances, air-intakes of public buildings, playgrounds, recreation areas, walking trails, beaches and provincial parks.

New Brunswick's legislation regarding smoke-free outdoor spaces has a far greater reach because it establishes larger smoke-free zones: 3m around patios, 9m around airways and doorways. It is also innovative because it makes New Brunswick the first province to implement smoke-free provincial parks and public trails.

In addition, both Regional Health Authorities are in the process of planning for implementation of 100% smoke-free ground policies.

SFPA: <http://laws.gnb.ca/en/ShowPdf/cs/2011-c.222.pdf>

Prince Edward Island

Provincial Smoke-Free Places Act:

<http://www.gov.pe.ca/health/index.php3?number=1020688&lang=E>

Nova Scotia

Smoke Free Places Act prohibits smoking in indoor workplaces, 4 meters away from air intake vents and opening windows, prohibits smoking in vehicles with passengers under 19 and in outdoor places where alcohol and food are served.

Newfoundland and Labrador

Comprehensive ban on smoking in public places and workplaces.

The *Smoke-Free Environment Act, 2005* prohibits smoking in enclosed public places (e.g., restaurants, bars including patio decks, bingo halls, ferries), workplaces and in motor vehicles when persons under the age of 16 are present in the vehicle.

<http://assembly.nl.ca/Legislation/sr/statutes/s16-2.htm>

Northwest Territories

Tobacco Control Act of the Northwest Territories

<https://www.justice.gov.nt.ca/en/legislation/#gn-filebrowse-0:/t/tobacco-control/>

