

The Tobacco and Vapour Products Control Act
Side by Side

EXISTING PROVISION	PROPOSED PROVISION	EXPLANATION/COMMENTS
<p>Short Title 1 This Act may be cited as <i>The Tobacco and Vapour Products Control Act</i>.</p>	<p>Short Title 1 <i>This Act may be cited as The Tobacco and Vapour Products Control Amendment Act, 2023.</i></p>	<p>Required</p>
	<p>SS 2001, c T-14.1 amended 2 <i>The Tobacco and Vapour Products Control Act</i> is amended in the manner set forth in this Act.</p>	<p>Required</p>
<p>Interpretation 2 In this Act: (a) Repealed. 2010, c.34, s.3.</p>	<p>New section 2 3 Section 2 is repealed and the following substituted: “Definitions 2 In this Act: ‘advertise’ means to use any commercial communication, through any media or other means, that is intended to have or is likely to have the effect of: (a) creating an awareness of or association with: (i) tobacco, a tobacco-related product or a vapour product; (ii) a brand of a product or device mentioned in subclause (i); or</p>	<p>Required</p> <p>New: Defines “advertise” for greater clarity with existing section 6 provisions. Definition based on Alberta legislation. https://www.canlii.org/en/ab/laws/stat/sa-2005-c-t-3.8/189562/sa-2005-c-t-3.8.html</p>

<p>(a.1) “e-cigarette” means all or any of the following:</p> <ul style="list-style-type: none"> (i) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vaporizing an e-substance for inhalation or release into the air; (ii) a prescribed product or device similar in nature or use to a product or device described in subclause (i); <p>(a.2) “e-substance” means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine;</p> <p>(b) “enclosed public place” means all or any part of a building or other enclosed place or conveyance to</p>	<ul style="list-style-type: none"> (iii) a manufacturer or seller of a product or device mentioned in subclause (i); or <p>(b) Promoting the purchase or use of:</p> <ul style="list-style-type: none"> (i) tobacco, a tobacco-related product or a vapour product; or (ii) a brand of a product or device mentioned in subclause (i); <p>‘child care facility’ means a facility as defined in <i>The Child Care Act, 2014</i>;</p> <p>‘e-cigarette’ means all or any of the following:</p> <ul style="list-style-type: none"> (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vaporizing an e-substance for inhalation or release into the air; (b) a prescribed product or device similar in nature or use to a product or device described in clause (a); <p>‘e-substance’ means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine;</p> <p>‘enclosed public place’ means all or any part of a building or other enclosed place</p>	<p>Defined to apply to this Act in its entirety and not only section 11.</p> <p>Wording change to align with revised numbering.</p> <p>Minor revision of wording.</p>
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<p>which the public has access as of right or by express or implied invitation and includes:</p> <ul style="list-style-type: none"> (i) an outdoor bus shelter; (ii) a public building or facility, or any part of a public building or facility, that is rented out for private events; (iii) a vehicle that: <ul style="list-style-type: none"> (A) is used or made available for public transit or as a commercial vehicle; and (B) is used to transport members of the public; but only during any period that the vehicle is made available for hire, including any break period; (iv) a building, enclosed place or facility owned or leased by a private club that restricts admission to members and guests; (v) any prescribed building, place, facility or vehicle or class of prescribed buildings, places, facilities or vehicles; (iv.1) the common areas of a multi-unit residential building; and (b.1) “flavoured tobacco product” includes a tobacco product that is represented as being flavoured, that contains a flavouring agent or that is presented by its packaging, by advertisement or otherwise as being 	<p>or conveyance to which the public has access as of right or by express or implied invitation, including:</p> <ul style="list-style-type: none"> (a) an outdoor bus shelter; (b) a public building or facility, or any part of a public building or facility, that is rented out for private events; (c) a vehicle that: <ul style="list-style-type: none"> (i) is used or made available for public transit or as a commercial vehicle; and (ii) is used to transport members of the public; but only during any period that the vehicle is made available for hire, including any break period; (d) a building, enclosed place or facility owned or leased by a private club that restricts admission to members and guests; (e) the common areas of a multi-unit residential building; and (f) any prescribed building, place, facility or vehicle or class of prescribed buildings, places, facilities or vehicles; <p>“flavoured tobacco product” includes a tobacco product that is represented as being flavoured, that contains a flavouring agent or that is presented by its packaging, by advertisement or otherwise as being flavoured, but does not include a</p>	<p>Minor reordering of items included in the definition of ‘enclosed public place’.</p>
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<p>flavoured, but does not include a little cigar that contains a prohibited additive within the meaning of the <i>Tobacco and Vaping Products Act</i> (Canada);</p> <p>(b.2) “flavoured vapour product” includes a vapour product that is represented as being flavoured, that contains a flavouring agent or that is presented by its packaging, by advertisement or otherwise as being flavoured;</p> <p>(c) “furnish” means to sell, lend, assign, give or send, with or without consideration, or to barter or deposit with another person for the performance of a service;</p> <p>(c.1) “immediate family member”, with respect to an individual, means that individual’s:</p> <ul style="list-style-type: none"> (i) spouse; (ii) child or step-child; (iii) grandchild; (iv) sister or brother; (v) niece or nephew; (vi) parent or grandparent; or (vii) guardian; and includes a spouse of the individual’s child, step-child, sister or brother and another individual with respect to whom the individual is a guardian; 	<p>little cigar that contains a prohibited additive within the meaning of the <i>Tobacco and Vaping Products Act</i> (Canada);</p> <p>“flavoured vapour product” includes a vapour product that is represented as being flavoured, that contains a flavouring agent or that is presented by its packaging, by advertisement or otherwise as being flavoured;</p> <p>“furnish” means to sell, lend, assign, give or send, with or without consideration, or to barter or deposit with another person for the performance of a service;</p> <p>“group family child care home” means a group family child care home as defined in <i>The Child Care Act, 2014</i>;</p> <p>“immediate family member”, with respect to an individual, means that individual’s:</p> <ul style="list-style-type: none"> (a) spouse; (b) child or stepchild; (c) grandchild; (d) sister or brother; (e) niece or nephew; (f) parent or grandparent; or (g) guardian; and includes a spouse of the individual’s child, stepchild, sister or brother and another individual with respect to whom the individual is a guardian; <p>“licensed family child care home” means a family child care home that is licensed pursuant to <i>The Child Care Act, 2014</i>;</p>	<p>Defined to apply to this Act in its entirety and not only section 11.</p> <p>Defined to apply to this Act in its entirety and not only sections 11 and 17.</p>
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<p>(c.2) “little cigar” includes any of the following products:</p> <ul style="list-style-type: none">(i) a tobacco product that is sold as a little cigar;(ii) a tobacco product that:<ul style="list-style-type: none">(A) weighs less than 1.4 grams, or any other prescribed weight;(B) is in the form of a roll or a tube; and(C) has a wrapper that contains natural or reconstituted leaf tobacco;(iii) a tobacco product that:<ul style="list-style-type: none">(A) has a cellulose, acetate or other type of filter;(B) is in the form of a roll or a tube; and(C) has a wrapper that contains natural or reconstituted leaf tobacco;(iv) any other prescribed tobacco product; <p>(d) “minister” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;</p> <p>(d.1) “ministry” means the ministry over which the minister presides;</p> <p>(d.2) “pharmacy” means a pharmacy as defined in <i>The Pharmacy and Pharmacy Disciplines Act</i>;</p> <p>(e) Repealed. 2002, c.C-11.1, s.423.</p>	<p>“little cigar” includes any of the following products:</p> <ul style="list-style-type: none">(a) a tobacco product that is sold as a little cigar;(b) a tobacco product that:<ul style="list-style-type: none">(i) weighs less than 1.4 grams, or any other prescribed weight;(ii) is in the form of a roll or a tube; and(iii) has a wrapper that contains natural or reconstituted leaf tobacco;(c) a tobacco product that:<ul style="list-style-type: none">(i) has a cellulose, acetate or other type of filter;(ii) is in the form of a roll or a tube; and(iii) has a wrapper that contains natural or reconstituted leaf tobacco;(d) any other prescribed tobacco product; <p>“minister” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;</p> <p>“ministry” means the ministry over which the minister presides;</p> <p>“pharmacy” means a pharmacy as defined in <i>The Pharmacy and Pharmacy Disciplines Act</i>;</p>	
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<p>(f) “prescribed” means prescribed in the regulations;</p> <p>(f.1) “proprietor”:</p> <ul style="list-style-type: none">(i) with respect to a place or premises, means a person who controls, governs or directs the activities carried on within the place or premises, and includes a person who is actually in charge of the place or premises at any particular time; and(ii) with respect to a vehicle, means the registered owner of the vehicle or the operator in charge of the vehicle at any particular time;	<p>‘prescribed’ means prescribed in the regulations;</p> <p>‘promote’ means to use any commercial act or practice that is intended or likely:</p> <ul style="list-style-type: none">(a) to encourage the purchase or use of:<ul style="list-style-type: none">(i) tobacco, a tobacco-related product or a vapour product; or(ii) a brand of a product or device mentioned in subclause (i);(b) to create an awareness of or association with:<ul style="list-style-type: none">(i) tobacco, a tobacco-related product or a vapour product;(ii) a brand of a product or device mentioned in subclause (i); or(iii) a manufacturer or seller of a product or device mentioned in subclause (i); <p>‘proprietor’:</p> <ul style="list-style-type: none">(a) with respect to a place or premises, means a person who controls, governs or directs the activities carried on within the place or premises, and includes a person who is actually in charge of the place or premises at any particular time; and(b) with respect to a vehicle, means the registered owner of the vehicle or the operator in charge of the vehicle at any particular time;	<p>New: Defined “promote” for greater clarity with existing section 6 provisions. Definition based on Alberta legislation: https://www.canlii.org/en/ab/laws/stat/sa-2005-c-t-3.8/189562/sa-2005-c-t-3.8.html</p>
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<p>(g) “retailer” means a person who is engaged in a business that includes the sale of tobacco, tobacco-related products or vapour products;</p> <p>(g.1) “school or independent school” means a school or an independent school as defined in <i>The Education Act, 1995</i>;</p> <p>(h) “sell” includes offer for sale and expose for sale;</p> <p>(i) “tobacco” means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine to which the <i>Food and Drugs Act (Canada)</i> applies;</p> <p>(j) “tobacco enforcement officer” means:</p> <ul style="list-style-type: none">(i) a person designated as a tobacco enforcement officer pursuant to section 16;(ii) a member of a police service as defined in <i>The Police Act, 1990</i>; or(iii) a member of the Royal Canadian Mounted Police; <p>(k) “tobacco-related product” means a cigarette paper, a cigarette tube, a cigarette filter, a cigarette maker, a pipe or any other product used in association with tobacco that is prescribed;</p> <p>(k.1) “vapour product” means any or all of the following:</p> <ul style="list-style-type: none">(i) an e-cigarette;(ii) an e-substance;	<p>“retailer” means a person who is engaged in a business that includes the sale of tobacco, tobacco-related products or vapour products to the public;</p> <p>“school or independent school” means a school or an independent school as defined in <i>The Education Act, 1995</i>;</p> <p>“sell” includes offer for sale and expose for sale;</p> <p>“tobacco” means tobacco in any form in which it is used or consumed, and includes snuff and raw leaf tobacco, but does not include any food, drug or device that contains nicotine to which the <i>Food and Drugs Act (Canada)</i> applies;</p> <p>“tobacco enforcement officer” means:</p> <ul style="list-style-type: none">(a) a person designated as a tobacco enforcement officer pursuant to section 16;(b) a member of a police service as defined in <i>The Police Act, 1990</i>; or(c) a member of the Royal Canadian Mounted Police; <p>“tobacco-related product” means a cigarette paper, a cigarette tube, a cigarette filter, a cigarette maker, a pipe or any other product used in association with tobacco that is prescribed;</p> <p>“vapour product” means any or all of the following:</p> <ul style="list-style-type: none">(a) an e-cigarette;(b) an e-substance;	
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<p>(iii) a cartridge for or a component of an e-cigarette; (l) “young person” means a person under the age of 18 years.</p>	<p>(c) a cartridge for or a component of an e-cigarette; ‘young person’ means a person under 19 years of age”.</p>	<p>Revised definition of young person to raise the legal age for smoking/vaping in Saskatchewan to 19 years.</p>
<p>PART II Transactions involving Tobacco or Tobacco-related Products</p>	<p>New Part II heading 4 The heading for Part II is repealed and the following substituted: “PART II Transactions involving Tobacco, Tobacco-related Products or Vapour Products”.</p>	<p>Required</p>
<p>Providing tobacco etc. to young persons prohibited 4(1) No person shall provide tobacco, a tobacco-related product or a vapour product to a young person. (2) No person shall provide tobacco, a tobacco-related product or a vapour product to a person who appears to be a young person unless the person produces, as proof that the person is 18 years of age or older: (a) a photo identification card that forms part of a Saskatchewan driver’s licence; (b) a Canadian passport; (c) a certificate of Canadian citizenship that contains the person’s photograph; (d) a Canadian Forces identification card; (e) any other document that:</p>	<p>Section 4 amended 5(1) Subsection 4(2) is amended in the portion preceding clause (a) by striking out “18 years” and substituting “19 years”. (2) Subsection 4(3) is amended by striking out “18 years” and substituting “19 years”.</p>	<p>Adjusts the legal age requirement for proof of age provisions.</p>

<p>(i) is issued by the government of a province or territory of Canada, the Government of Canada or the government of a foreign country or state; and</p> <p>(ii) contains the person's photograph, date of birth and signature; or</p> <p>(f) a prescribed document.</p> <p>(3) No person shall provide tobacco, a tobacco-related product or a vapour product to a person who produces a document mentioned in subsection (2) as proof that the person is 18 years of age or older if it appears that the document has been altered.</p> <p>(4) Nothing in this section prevents a legal custodian of a young person from providing tobacco, a tobacco-related product or a vapour product to the young person in a place other than a public place or a place to which the public ordinarily has access.</p> <p>(5) Nothing in this section prevents a person from giving tobacco or a tobacco-related product to a young person if the gift is made solely for use in traditional Aboriginal spiritual or cultural practices or ceremonies.</p>		
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<p>Certain sales promotion practices prohibited</p> <p>6(1) Subject to subsection (6), no person shall advertise or promote tobacco, tobacco-related products or vapour products in any place or premises in which tobacco, tobacco-related products or vapour products are sold if young persons are permitted access to the place or premises.</p>	<p>Section 6 amended</p> <p>6 Subsection 6(1) is repealed and the following substituted:</p> <p>“(1) Subject to subsection (6), no person shall advertise or promote tobacco, tobacco-related products or vapour products in any place or premises to which the public has access as of right or by express or implied invitation if young persons are permitted access to the place or premises”.</p>	<p>This updates the provision to prohibit advertising and promotion of tobacco or vapour products in public places where young people have access regardless of whether the place or premises offers the tobacco and vapour products for sale.</p>
<p>Prohibited areas re: smoking, use, consumption, etc., of tobacco</p> <p>11(1) In this section, “child care facility” means a facility as defined in <i>The Child Care Act, 2014</i>.</p> <p>(2) Subject to subsection (3), no person shall:</p> <ul style="list-style-type: none"> (a) smoke, use or consume tobacco, hold lighted tobacco or use or consume vapour products, in an enclosed public place that is a school or an independent school or on the grounds surrounding a school or an independent school; or (b) smoke, hold lighted tobacco or use or consume vapour products: 	<p>New sections 11 and 11.1</p> <p>7 Sections 11 and 11.1 are repealed and the following substituted:</p> <p>“Prohibited areas re: smoking or vaping</p> <p>11(1) Subject to subsection (2), no person shall do any of the following:</p> <ul style="list-style-type: none"> (a) smoke, use or consume tobacco, hold lighted tobacco or use or consume vapour products: <ul style="list-style-type: none"> (i) in a school or independent school; or (ii) on the school grounds surrounding a school or independent school; (b) smoke, hold lighted tobacco or use or consume vapour products: <ul style="list-style-type: none"> (i) in an enclosed public place; or (ii) within a prescribed distance from a doorway, window or air intake of 	<p>Updated title to include reference to vapour products</p> <p>“child care facility” moved to definitions section of the Act.</p>

<p>(i) in an enclosed public place other than a school or an independent school; or</p> <p>(ii) within a prescribed distance from a doorway, window or air intake of an enclosed public place mentioned in subclause (i).</p> <p>(3) Subsection (2) does not apply to:</p> <p>(a) a separate enclosed ventilated place that:</p> <p>(i) is within:</p> <p>(A) a facility designated as a special-care home pursuant to <i>The Provincial Health Authority Act</i>; or</p> <p>(B) a personal care home as defined in <i>The Personal Care Homes Act</i> that offers care and accommodation to more than 10 persons; and</p> <p>(ii) meets the prescribed requirements;</p> <p>(b) a child care facility that is a group family child care home or a licensed family child care home during the times that no child care services are being provided in the facility;</p> <p>(c) an enclosed public place while it is being used with the consent of the proprietor, for traditional Aboriginal spiritual or cultural</p>	<p>an enclosed public place mentioned in subclause (i).</p> <p>(2) Subsection (1) does not apply to the following:</p> <p>(a) a separate enclosed ventilated place that:</p> <p>(i) is within:</p> <p>(A) a facility designated as a special-care home pursuant to <i>The Provincial Health Authority Act</i>; or</p> <p>(B) a personal care home as defined in <i>The Personal Care Homes Act</i> that offers care and accommodation to more than 10 persons; and</p> <p>(ii) meets the prescribed requirements;</p> <p>(b) a child care facility that is a group family child care home or a licensed family child care home during the times that no child care services are being provided in the facility;</p> <p>(c) an enclosed public place while it is being used with the consent of the proprietor, for traditional Aboriginal spiritual or cultural practices or</p>	
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<p>practices or ceremonies, if the use of tobacco or tobacco-related products is an integral part of the traditional Aboriginal spiritual or cultural practices or ceremonies being carried out in the enclosed public place;</p> <p>(c.1) subject to subsection (4), in the case of a retailer of vapour products, the retailer's place of business, but only:</p> <ul style="list-style-type: none">(i) if no young persons are admitted to the place of business;(ii) subject to subsection (5), for the purposes of sampling a vapour product by persons who intend to purchase a vapour product from the retailer;(iii) if the retailer's place of business is fully enclosed by floor-to-ceiling walls, a ceiling and doors that separate that place of business from any adjacent area in which the use of vapour products is prohibited; and(iv) if the proprietor of a retailer of vapour products where the use of vapour products is permitted pursuant to this Act	<p>ceremonies, if the use of tobacco or tobacco-related products is an integral part of the traditional Aboriginal spiritual or cultural practices or ceremonies being carried out in the place or premises;</p> <p>(d) any prescribed place, premises or vehicle.</p> <p>(3) The proprietor of a retailer of vapour products and any employee of the retailer may use vapour products inside the retailer's place of business, but only:</p> <ul style="list-style-type: none">(a) for the purposes of sampling the vapour products for the purpose of sale; and(b) when the retailer is not open to the public".	<p>Minor rewording applied.</p> <p>Removes the allowance for customers to consume vapour products in an enclosed public place that is a vapour product shop. Aligning with all other enclosed public places where smoking and vaping are not permitted.</p>
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<p>and the regulations has taken reasonable steps to minimize the drifting of vapour into areas where the use of vapour products is prohibited;</p> <p>(d) Repealed. 2010, c.34, s.10.</p> <p>(e) a prescribed place, premises or vehicle.</p> <p>(4) The proprietor of a retailer of vapour products and any employee of the retailer may use vapour products inside the retailer’s place of business, but only:</p> <p>(a) for the purposes of sampling the vapour products for the purpose of sale; and</p> <p>(b) when the retailer is not open to the public.</p> <p>(5) Subclause (3)(c.1)(ii) does not apply in the case of a retailer whose place of business is a permitted premises as defined in <i>The Alcohol and Gaming Regulation Act, 1997</i>.</p> <p>Proprietors to prohibit contraventions</p> <p>11.1(1) For the purposes of complying with section 11, every proprietor of an enclosed public place shall ensure that:</p> <p>(a) subject to subsection (2), no ashtrays, matches, lighters or other things designed or used to facilitate</p>	<p style="text-align: center; font-size: 48px; opacity: 0.2;">DRAFT</p> <p>“Proprietors to prohibit contraventions</p> <p>11.1(1) For the purposes of complying with section 11, every proprietor of an place or premises to which section 11 applies shall ensure that:</p> <p>(a) subject to subsection (2), no ashtrays, matches, lighters or other things designed or used to facilitate</p>	<p>Section 11.1 applies to every proprietor of a place or premises to which section 11 applies.</p>
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<p>smoking are provided in the enclosed public place; and</p> <p>(b) the signs required by section 13 are posted in accordance with that section.</p> <p>(2) The prohibition in clause (1)(a) respecting ashtrays and lighters does not apply to a vehicle that is an enclosed public place if the vehicle is equipped by the manufacturer with ashtrays and lighters.</p> <p>(3) If a person is contravening section 11 in an enclosed public place, the proprietor shall:</p> <p>(a) request the person to immediately:</p> <p>(i) stop smoking or holding lighted tobacco and to immediately extinguish the lighted tobacco;</p> <p>(ii) stop using or consuming vapour products; or</p> <p>(iii) in the case of a school or independent school:</p> <p>(A) stop smoking, using or consuming tobacco or holding lighted tobacco and to immediately extinguish any lighted tobacco; or</p> <p>(B) stop using or consuming vapour products;</p> <p>(b) inform the person that he or she was committing an offence; and</p> <p>(c) refuse to provide that person with a good or service that the proprietor</p>	<p>smoking or vaping are provided in that place or premises; and</p> <p>(b) the signs required by section 13 are posted in accordance with that section.</p> <p>(2) The prohibition in clause (1)(a) respecting ashtrays and lighters does not apply to a vehicle that is:</p> <p>(a) an enclosed public place; and</p> <p>(b) equipped by the manufacturer with ashtrays and lighters.</p> <p>(3) If a person is contravening section 11, the proprietor shall:</p> <p>(a) inform the person that the person is committing an offence;</p> <p>(b) request the person to immediately:</p> <p>(i) in the case of a school or independent school:</p> <p>(A) stop smoking, using or consuming tobacco or holding lighted tobacco and to immediately extinguish any lighted tobacco; or</p> <p>(B) stop vaping or using or consuming vapour products;</p> <p>(ii) in the case of an enclosed public space,</p> <p>(A) stop smoking or holding lighted tobacco and to immediately extinguish any lighted tobacco; or</p> <p>(B) stop vaping using or consuming vapour products; and</p>	<p>The term vaping is included for clarity.</p> <p>Minor revision of wording.</p> <p>Minor reordering of items in this subsection.</p>
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<p>customarily provides in the enclosed public place until that person ceases contravening section 11.</p>	<p>(c) refuse to provide the person with any good or service that the proprietor customarily provides in that place or premises until the person ceases contravening section 11”.</p>	
<p>Restrictive provision prevails 15 If there is a conflict between section 10.1, 11, 13 or 14 of this Act and a provision of any other Act, any regulation or any bylaw of a municipality, the provision that is more restrictive prevails.</p>	<p>Section 15 amended 8 Section 15 is amended by adding “11.1,” after “section 10.1, 11,”.</p>	<p>Added section 11.1.</p>
<p>Appointment of tobacco enforcement officers (2) A tobacco enforcement officer designated pursuant to subsection (1) who enters a place or premises for the purposes of this Act must, on request, show evidence of his or her designation to the person in charge of the place or premises.</p>	<p>Section 16 amended 9 Subsection 16(2) is amended by striking out “his or her” and substituting “the tobacco enforcement officer’s”.</p>	<p>Language changed to remove pronouns and replace with proper noun.</p>
<p>Powers of tobacco enforcement officers 17(2)(j) with respect to a person who is in, or has been in, the premises of a retailer and to whom the tobacco enforcement officer believes tobacco, tobacco-related products or vapour products may have been furnished: <ul style="list-style-type: none"> (i) ask the person for proof of his or her age; and (ii) make other inquiries of the person. (4) During the hours in which child care services are being provided, a tobacco enforcement officer may enter a group</p>	<p>Section 17 amended 10(1) Subclause 17(2)(j)(i) is amended by striking out “his or her” and substituting “the person’s”. (2) Subsection 17(4) is amended by adding “a child care facility that is” after “may enter”.</p>	<p>Language changed to remove pronouns. This amendment will make the wording of 17(4) consistent with 11(3)(b).</p>

<p>family child care home or a licensed family child care home for the purposes of subclause (2)(a)(iv) without the consent of the occupier or a warrant obtained pursuant to <i>The Summary Offences Procedure Act, 1990</i>.</p>		
<p>Offences pursuant to Part II 20(2) It is not a defence to a prosecution for a contravention of section 4 for the person accused of furnishing tobacco, a tobacco-related product or a vapour product to a young person to show that the young person appeared to be 18 years of age or older.</p>	<p>Section 20 amended 11 Subsection 20(2) is amended by striking out “18 years” and substituting “19 years”.</p>	<p>Revised the legal age requirement.</p>
<p>Convictions pursuant to Tobacco Act (Canada) 22 Where a retailer is convicted of an offence arising from a contravention of section 8 of the <i>Tobacco Act (Canada)</i>, the conviction pursuant to the <i>Tobacco Act (Canada)</i> is deemed to be a conviction pursuant to subsection 20(1) for the purposes of determining any applicable penalty pursuant to subsection 20(1) or 23(1) for a contravention of section 4.</p>	<p>New section 21 12 Section 21 is repealed and the following substituted: “Convictions pursuant to <i>Tobacco and Vaping Products Act (Canada)</i> 22 If a retailer is convicted of an offence arising from a contravention of section 8 of the <i>Tobacco and Vaping Products Act (Canada)</i>, the conviction pursuant to the <i>Tobacco and Vaping Products Act (Canada)</i> is deemed to be a conviction pursuant to subsection 20(1) for the purposes of determining any applicable penalty pursuant to subsection 20(1) or 23(1) for a contravention of section 4”.</p>	<p>Updates the name of the federal legislation.</p>
	<p>Section 25 amended 13 Subsection 25(2) is amended by striking out “12,”.</p>	<p>Section 12 was repealed in 2004.</p>

	<p>14 Clauses 30(a.01) to (b) are repealed and the following substituted:</p> <p>“(a.01) prescribing other products or devices as e-cigarettes;</p> <p>“(a.1) prescribing other buildings, places, facilities or vehicles or any class of buildings, places, facilities or vehicles as enclosed public places;</p> <p>“(a.2) for the purposes of little cigars:</p> <ul style="list-style-type: none">(i) prescribing any other weight for a tobacco product mentioned in subclause (b)(i) of the definition of ‘little cigar’;(ii) prescribing other tobacco products as little cigars; <p>“(b) prescribing other products as a tobacco-related products”.</p>	<p>This amendment makes the legislation adaptable. It grants government the authority to create regulations for novel tobacco and vapour products and regulate spaces other than the ones currently included in the <i>Tobacco and Vapour Products Control Regulations</i>.</p>
	<p>Coming into force</p> <p>This Act comes into force by order of the Lieutenant Governor in Council.</p>	<p>The Amendment Act will come into force by order of the Lieutenant Governor in Council (as opposed to on Assent) to allow for related amendments to be made to regulations, which will be brought into force at the same time as the Amendment Act.</p>