

Provincial and Territorial Smoke-Free Legislation

Manitoba

Name of legislation	<ul style="list-style-type: none"> • <i>The Non-Smokers' Health Protection Act (Various Acts Amended)</i> This will be renamed <i>The Non-Smokers Health Protection And Vapour Products Act</i> upon proclamation of the following amendment Act • <i>The Non-Smokers Health Protection Amendment Act (E-Cigarettes)</i> • <i>Bill 25, the Cannabis Harm Prevention Act (Various Acts Amended)</i> (introduced March 20, 2017)
Date in force	<ul style="list-style-type: none"> • October 1, 2004 and the amendment Act received Royal Assent on November 5, 2015 and will come into force upon proclamation (still not proclaimed as of March 2017)
Workplaces	<ul style="list-style-type: none"> • Smoking prohibited in virtually all enclosed workplaces • Smoking still permitted in designated smoking rooms (DSRs) by in-patients or residents of group living facilities (includes long-term care facilities) • Smoking permitted by registered guests and their invited guests in designated smoking hotel rooms equipped with a separate ventilation system; separate ventilation system only applies to rooms constructed or substantially renovated after this section of the Act came into force • Smoking permitted in fully enclosed tobacconist shops to test or sample a product
Restaurants	<ul style="list-style-type: none"> • Smoking prohibited
Casinos, bingos, etc.	<ul style="list-style-type: none"> • Smoking prohibited
Bars	<ul style="list-style-type: none"> • Smoking prohibited
Public places	<ul style="list-style-type: none"> • Smoking prohibited
Outdoor provisions	<ul style="list-style-type: none"> • Smoking prohibited on bar and restaurant patios if more than 25% of the floor area is covered by a roof and more than 50% of its perimeter is more than 50% enclosed • Smoking prohibited in bus shelters
Provision for municipalities	<ul style="list-style-type: none"> • Sections 9 and 10 of <i>The Non-Smokers Health Protection Act (Various Acts Amended)</i> allow municipalities to pass bylaws prohibiting or limiting smoking, and the more restrictive prevails
Summary	<ul style="list-style-type: none"> • In 2004 when this legislation was passed, it was among the best in Canada and remains strong legislation for indoor protection from SHS

	<ul style="list-style-type: none"> • However, public policy has evolved and, even with the progressive inclusion of electronic cigarettes and marijuana in the definition of smoking, this Act has very few smoke-free outdoor spaces • Manitoba therefore lags behind many other jurisdictions
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Private Vehicles with Children Present

Name of legislation	<ul style="list-style-type: none"> • <i>The Highway Traffic Amendment Act (Promoting Safer and Healthier Conditions in Motor Vehicles)</i>
Date in force	<ul style="list-style-type: none"> • July 15, 2010
Private Vehicles	<ul style="list-style-type: none"> • Smoking prohibited in private vehicles with children under the age of 16.

Notes

Manitoba became the 7th province/territory to adopt smoke-free vehicle legislation, in addition to Nova Scotia (2007), Yukon Territory (2008), Ontario (2008), New Brunswick (2009), Prince Edward Island (2009), Saskatchewan (2010), Newfoundland and Labrador (2011), Alberta (2012), and Quebec (2015). The Northwest Territories and Nunavut do not have such legislation.

Even once the e-cigarette clauses of the amended legislation come into force, Manitoba will still be lagging behind many other provinces, especially when it comes to protection from secondhand smoke outdoors. (This will become even more important to address once marijuana is legalized federally.) Patios, playgrounds and sports and recreation fields, as well as buffer zones around doorways, air intakes and operable windows, are notably absent from Manitoba legislation. It should be noted, however, that since the summer of 2014, Manitoba has had a smoke-free policy (not a law) for its provincial parks, including playgrounds and beaches.

Once it is adopted and comes into force, *Bill 25, the Cannabis Harm Prevention Act*, introduced in 2017, will prohibit marijuana smoking and vaping wherever tobacco smoking and vaping are prohibited, both indoors and outdoors. This Act helps prepare Manitoba for the federal legalization of marijuana.