

## *Provincial and Territorial Smoke-Free Legislation*

# New Brunswick

Name of legislation	<ul style="list-style-type: none"> <li>• <i>Smoke-free Places Act</i></li> <li>• <i>An Act to Amend the Smoke-free Places Act</i></li> <li>• <i>Bill 44, An Act to Amend the Smoke-free Places Act</i></li> <li>• <i>Bill 18, An Act to Amend the Smoke-free Places Act</i> (Received Royal Assent on December 16, 2016 but not yet in force)</li> </ul>
Date in force	<ul style="list-style-type: none"> <li>• October 1, 2004, January 1, 2010, and July 1, 2015</li> </ul>
Workplaces	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited in enclosed workplaces</li> <li>• Smoking and vaping prohibited in group living facilities</li> <li>• Smoking and vaping permitted by registered guests and their invited guests in designated smoking hotel rooms equipped with separate ventilation systems (only applies to rooms constructed or substantially renovated after this section of the Act came into force)</li> </ul>
Restaurants	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> </ul>
Casinos, bingos, etc.	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> </ul>
Bars	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> </ul>
Public places	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> </ul>
Outdoor provisions	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited on and within 3 m of bar and restaurant patios</li> <li>• Smoking and vaping prohibited on school grounds</li> <li>• Smoking and vaping prohibited within 9 m of doorways, air intakes or windows of enclosed public places and workplaces</li> <li>• Smoking and vaping prohibited on and within 20 m of playgrounds, beaches and sports fields</li> <li>• Smoking and vaping prohibited on and within 9 m of outdoor trails</li> <li>• Smoking and vaping prohibited in provincial parks (except for occupied campsites, golf courses, and designated smoking areas)</li> </ul>
Private Motor Vehicles	<ul style="list-style-type: none"> <li>• <i>An Act to Amend the Smoke-free Places Act</i></li> <li>• In force January 1, 2010</li> <li>• Smoking and vaping prohibited in private motor vehicles with children under the age of 16 years</li> </ul>
Provision for municipalities	<ul style="list-style-type: none"> <li>• No. Municipalities cannot pass bylaws related to smoking. Some communities have adopted policies, but they have no authority to enforce them.</li> </ul>
Summary	<ul style="list-style-type: none"> <li>• <b>Legislation strong regarding both indoor and outdoor protection from SHS and vapour</b></li> </ul>

## Notes

New Brunswick (2009) was the 5<sup>th</sup> Canadian province/territory to pass smoke-free vehicle legislation, in addition to Nova Scotia (2007), Yukon Territory (2008), Ontario (2008), British Columbia (2008), Prince Edward Island (2009), Manitoba (2009), Saskatchewan (2010), Newfoundland and Labrador (2011), Alberta (2012) and Quebec (2015). The Northwest Territories and Nunavut do not have such legislation.

New Brunswick (2015) was the second province to prohibit smoking **on and within 20 metres of playgrounds and publicly owned sports fields** (preceded by Ontario in 2015).

Bill 18 proposes prohibiting smoking on hospital grounds.

**This bill also expands the definition of smoking to include any weed or substance (notably marijuana) in all places where smoking is banned.** New Brunswick has already banned all waterpipe smoking, including of non-tobacco products.

With the latest amendments to the *Smoke-free Places Act* that now include electronic cigarettes and waterpipes in the definition of smoking and will soon include marijuana (once the amendments come into effect), New Brunswick has become a national leader in protecting its citizens from second-hand smoke and vapour.