

## *Provincial and Territorial Smoke-Free Legislation*

# Newfoundland and Labrador

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Name of legislation	<ul style="list-style-type: none"> <li>• <i>Bill 35, An Act to Amend the Smoke-Free Environment Act, 2005 and the Tobacco Control Act [also known as Chapter 32, An Act to Amend the Smoke-Free Environment Act, 2005 and the Tobacco Control Act]</i></li> <li>• <i>Smoke-free Environment Act, 2005</i> (amended)</li> </ul>
Date in force	<ul style="list-style-type: none"> <li>• June 16, 2016 and July 1, 2011</li> </ul>
Workplaces	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited in virtually all workplaces, but designated smoking rooms may be provided for employees if they meet ventilation requirements</li> <li>• Smoking and vaping permitted in designated smoking rooms (DSRs) by residents and in-patients of long-term care, psychiatric and other residential care facilities</li> <li>• Smoking and vaping permitted by registered guests and their invited guests in designated smoking hotel rooms</li> </ul>
Restaurants	<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>
Casinos, bingos, etc.	<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 in all indoor public places</li> </ul>
Outdoor provisions	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited on all bar and restaurant patios</li> </ul>
Private motor vehicles	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited in private motor vehicles with children under the age of 16 present.</li> </ul>
Provision for Municipalities	<ul style="list-style-type: none"> <li>• Section 13(1) of the <i>Smoke-free Environment Act</i> allows municipalities to pass bylaws and the more restrictive provisions apply</li> <li>• To date, only St. John's has taken advantage of this enabling legislation</li> </ul>
Summary	<ul style="list-style-type: none"> <li>• <b>Legislation much improved regarding protection in indoor workplaces</b>, but DSRs still permitted.</li> <li>• Legislation also improved with the <b>prohibition of smoking and vaping in vehicles with children under the age of 16 present</b>.</li> <li>• <b>Legislation now lagging behind other provinces regarding outdoor protection</b>—first jurisdiction in Canada to ban smoking on all outdoor patios. However, smoking is still permitted in all other outdoor spaces. Legislation could be strengthened by including buffer zones around doorways, air intakes and operable windows, on playgrounds and recreational fields, etc.</li> </ul>

## Notes

Newfoundland and Labrador (2011) became the 9<sup>th</sup> province/territory to adopt smoke-free vehicle legislation, following Nova Scotia (2007), Yukon Territory (2008), Ontario (2008), British Columbia (2008), New Brunswick (2009), Prince Edward Island (2009), Manitoba (2009) and Saskatchewan (2010). Since then, Alberta (2012) and Quebec (2015) have also followed suit. The Northwest Territories and Nunavut do not have such legislation.

The definition of smoking was expanded in 2016 to include the use of waterpipes and electronic smoking devices. **The prohibition of hookah smoking of non-tobacco shisha in indoor public places and workplaces, including any existing hookah establishment, will come into effect July 1, 2017.**