

British Columbia

Workplaces and Public Places

Name of legislation	<ul style="list-style-type: none"> • <i>Tobacco Control Act</i>
Date in force	<ul style="list-style-type: none"> • March 31, 2008
Workplaces	<ul style="list-style-type: none"> • Smoking prohibited in virtually all enclosed workplaces • Smoking permitted in DSRs by in-patients or residents of community care facilities, assisted living residences, extended care hospitals or private hospitals • Smoking permitted in designated smoking hotel rooms by registered guests and their invited guests
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 within 3 metres of any doorway, open window or air intake of a public place or workplace • Smoking permitted on outdoor patios provided they are not fully or substantially enclosed (meaning having a roof or other covering and more than 50% of the nominal wall space is enclosed such that air flow is impeded). The 3 metre buffer zone does not apply on patios provided doorways are kept closed (except to enter or exit) and windows or air intakes are closed at all times when the patio is in use • Business owners are not required to enforce the 3 metre buffer zone if it extends onto public property such as a sidewalk, unless the person smoking is an employee or otherwise under the control of the employer • Smoking prohibited on school property
Provision for municipalities	<ul style="list-style-type: none"> • Not within the <i>Tobacco Control Act</i> • Section 523 (Health Protection Authority) of the <i>Local Government Act</i> permits bylaws to be passed that, if stronger, take precedence
Summary	<ul style="list-style-type: none"> • This legislation is a big improvement over the previous WCB regulations that permitted DSRs in workplaces and public places • Indoor protection offered by the <i>Tobacco Control Act</i> allows British Columbia to catch up with most of the

	<p>rest of Canada</p> <ul style="list-style-type: none"> • Inclusion of a 3 metre buffer zone around doorways, windows and air intakes of most workplaces and public places reflects a new generation of protection from SHS and thus exceeds outdoor protection offered in most other jurisdictions • However, the new legislation does not make BC a leader as smoking continues to be permitted on outdoor patios • Legislation is strong for indoor places but middle of the road for outdoor places
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Private Vehicles with Children Present

Name of legislation	<ul style="list-style-type: none"> • <i>Motor Vehicle (Banning Smoking When Children Present) Amendment Act, 2008</i>
Date in force	<ul style="list-style-type: none"> • April 7, 2009
Private Vehicles	<ul style="list-style-type: none"> • Smoking prohibited in private vehicles with children under the age of 16 present

Notes

British Columbia (2008) is the 4th Canadian province/territory to pass smoke-free vehicle legislation, following Nova Scotia (2007), Yukon Territory (2008) and Ontario (2008). Since that time New Brunswick (2009), Prince Edward Island (2009), Manitoba (2009), Saskatchewan (2010) and Newfoundland and Labrador (2011) and Alberta (2012) have also followed suit.

The government of British Columbia also provides protection for children in foster care through the Smoke-Free Environment Policy. As of May 1 2008, new foster parents are expected to provide a smoke-free environment in their homes and cars. This policy does not ban smokers from becoming foster parents, nor does it require foster parents to quit smoking.