

Non-Smokers' Rights Association Smoking and Health Action Foundation

March 2008

Quebec

Name of legislation	<ul style="list-style-type: none"> • <i>The Tobacco Act</i>
Date in force	<ul style="list-style-type: none"> • May 31, 2006
Workplaces	<ul style="list-style-type: none"> • Smoking prohibited in virtually all enclosed workplaces • DSRs for employees permitted only until May 30, 2008 • Smoking permitted in not more than 40% of rooms available in hotels, and rooms where smoking is permitted must be grouped together • Smoking permitted in DSRs by in-patients or residents of group living facilities (includes long-term care and other residential care facilities)
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 • Smoking permitted in cigar rooms specially set up for cigar or pipe smoking provided they are separately enclosed and ventilated, serve no food and were in operation on 10 May 2005.
Outdoor provisions	<ul style="list-style-type: none"> • Smoking prohibited within 9 metres of doorways of health and social service institutions, colleges and universities, non-residential childcare centres, and facilities where activities for minors are held • Smoking prohibited on school property • Smoking prohibited on bar and restaurant patios if they have more than 2 sides and a roof
Provision for municipalities	<ul style="list-style-type: none"> • Not within <i>The Tobacco Act</i> • <i>Municipal Powers Act</i> permits municipalities to enact more stringent bylaws regarding nuisances
Summary	<ul style="list-style-type: none"> • Indoor protection from SHS offered by this Act is strong and will be up to current standards come May 2008 when employee DSRs are banned

	<ul style="list-style-type: none">• Although the outdoor protection offered by this Act is good in that it includes a 9 metre buffer zone around certain workplaces and public places, and includes some patios, the legislation is not up to current outdoor standards—it could be improved by including all patios, buffer zones around all workplaces and public places, as well as including buffer zones around operable windows and air intakes
--	---

Notes

In our last update we reported that the province had been taken to court to defend *The Tobacco Act*, as disgruntled pub and bar owners had sought an injunction in November 2006 to temporarily overturn the 100% smoking ban. Bar owners lost, and must now wait until 2009 when the Supreme Court will rule on whether the ban is constitutional. A win for them seems highly unlikely, as other jurisdictions with 100% smoking bans have successfully fought constitutional challenges.

According to media reports, early last year the city of Montreal installed 177 stainless steel ashtrays outside 57 metro stations to help clean up the city's streets and sidewalks. In addition, media reports from August 2007 indicate that the city has also been handing out portable ashtrays in an effort to change social norms and cut down on what Montreal officials call their "one billion butt a year public eyesore." There have been no further reports regarding how these initiatives are working.