

Provincial and Territorial Smoke-Free Legislation

Nova Scotia

Name of legislation	<ul style="list-style-type: none"> • <i>Smoke-free Places Act (amended)</i> • <i>An Act to Amend Chapter 12 of the Acts of 2002, the Smoke-free Places Act, and Chapter 14 of the Acts of 1993, the Tobacco Access Act</i>
Date in force	<ul style="list-style-type: none"> • December 1, 2006 and May 31, 2015
Workplaces	<ul style="list-style-type: none"> • Smoking and vaping prohibited in virtually all enclosed workplaces • Smoking and vaping permitted in DSRs by in-patients or residents of group living facilities (includes long-term care and other residential care facilities) • Smoking and vaping permitted by registered guests and their invited guests in designated smoking hotel rooms
Restaurants	<ul style="list-style-type: none"> • Smoking and vaping prohibited
Casinos, bingos, etc.	<ul style="list-style-type: none"> • Smoking and vaping prohibited
Bars	<ul style="list-style-type: none"> • Smoking and vaping prohibited
Public places	<ul style="list-style-type: none"> • Smoking and vaping prohibited
Outdoor provisions	<ul style="list-style-type: none"> • Smoking and vaping prohibited on all outdoor patios regardless of whether they have a roof • Smoking and vaping prohibited within 4 metres of licensed outdoor areas, entrances and exits, air intakes and windows of workplaces • Smoking and vaping prohibited on school grounds • Smoking and vaping prohibited in transit shelters
Private motor vehicles	<ul style="list-style-type: none"> • Smoking and vaping prohibited in a motor vehicle with children under the age of 19 present • In force April 1, 2008
Provision for municipalities	<ul style="list-style-type: none"> • Section 16(2) of the <i>Smoke-free Places Act (amended)</i> stipulates that the more restrictive provision prevails • Several municipalities have enacted some of the strongest bylaws in Canada
Summary	<ul style="list-style-type: none"> • Legislation provides excellent protection from second-hand smoke and second-hand vapour indoors and outdoors • Nova Scotia was the first province to ban smoking in private vehicles with children present • As of May 31, 2015, Nova Scotia was the first province to include in its definition of smoking waterpipes and electronic cigarettes • The Act also prohibits smoking all weeds and substances, including cannabis • Nova Scotia's legislation is one of the strongest in

Notes

Nova Scotia (2007) was the first Canadian province/territory to enact smoke-free vehicles with children present legislation. Since that time 10 other provinces and territories have followed suit: Yukon Territory (2008), Ontario (2008), British Columbia (2008), New Brunswick (2009), 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.

On November 20, 2014, *Bill 60, An Act to Amend Chapter 12 of the Acts of 2002, the Smoke-free Places Act, and Chapter 14 of the Acts of 1993, the Tobacco Access Act* received Royal Assent and came into force on May 31, 2015.

The Act prohibits smoking anything, including cannabis, in places where smoking is prohibited under the *Smoke-free Places Act*, essentially all indoor workplaces and public places, and certain other areas such as patios, transit shelters and within 4 m of the doorways, air intakes or operable windows of all workplaces. The Act prohibits the use of waterpipes in the same places, whether they contain tobacco or simply other weeds or substances. The Act also prohibits the use of electronic cigarettes in all places where smoking is currently prohibited.

The Nova Scotia legislation is clearly leading edge, putting the province in a position of national and international leadership by prohibiting the use of waterpipes, electronic smoking devices, and other weeds and substances, including cannabis, province-wide, wherever smoking is already prohibited.

On March 27, 2018, Nova Scotia announced that it plans to amend the *Smoke-free Places Act* in the spring 2018 session. The amendments will protect people from second-hand smoke and second-hand vapour in more public places. The following measures are being proposed.

Smoking or vaping of cannabis or tobacco to be prohibited:

- on or within 20 metres of playgrounds located in an outdoor public space
- on or within 20 metres of a publicly owned sport and recreation event or venue, located in an outdoor public space
- on and within nine metres of public trails
- in provincial parks and on provincial beaches, except for within the boundaries of a rented campsite
- in all vehicles