

Provincial and Territorial Smoke-Free Legislation

Nunavut

Name of legislation	<ul style="list-style-type: none"> • <i>Tobacco Control Act</i> (see table below for <i>Environmental Tobacco Smoke Work Site Regulations</i>)
Date in force	<ul style="list-style-type: none"> • May 31, 2004
Workplaces	<ul style="list-style-type: none"> • Smoking prohibited in many workplaces • Smoking permitted in designated smoking hotel rooms by registered guests and their invited guests • Smoking permitted in designated smoking areas in elder homes or other premises that are prescribed
Restaurants	<ul style="list-style-type: none"> • Exempt
Casinos, bingos, etc.	<ul style="list-style-type: none"> • Unclear—not explicitly mentioned
Bars	<ul style="list-style-type: none"> • Exempt
Public places	<ul style="list-style-type: none"> • Smoking prohibited in all enclosed public places that are also workplaces
Outdoor provisions	<ul style="list-style-type: none"> • Smoking prohibited within 3 metres of any entrance or exit of an enclosed workplace or public place, except in an enclosed shelter designated for smoking, provided the smoke does not come into contact with people entering or leaving the workplace • Smoking prohibited within 15 metres of any entrance or exit of a school
Provision for municipalities	<ul style="list-style-type: none"> • Section 15 of <i>The Tobacco Control Act</i> states that if another act, regulation or bylaw conflicts with this Act, the provision that is the most restrictive prevails
Summary	<ul style="list-style-type: none"> • On its own, this legislation is weak for protection in indoor workplaces and public places as it exempts bars and restaurants • Legislation is also weak for outdoor protection—includes entrances and exits yet allows for designated smoking areas within the 3 metre buffer zone; could be strengthened by the inclusion of patios, school grounds, playgrounds, recreational fields and buffer zones around air intakes and windows that open • However, together with the worksite regulations listed below, indoor protection in workplaces and public places is strong

Name of legislation	<ul style="list-style-type: none"> • <i>Environmental Tobacco Smoke Work Site Regulations</i> (Section 25 of the <i>Safety Act</i>)
Date in force	<ul style="list-style-type: none"> • May 31, 2004
Workplaces	<ul style="list-style-type: none"> • Smoking prohibited in virtually all enclosed workplaces • Designated smoking rooms (DSRs) permitted where workers or others live within a work site • Designated smoking areas (DSAs) permitted in underground mines where workers cannot get to the surface during entire shift
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 in all enclosed public places that are also workplaces
Outdoor provisions	<ul style="list-style-type: none"> • Smoking prohibited within 3 metres of any entrance or exit of an enclosed workplace (if the area is owned or controlled by the employer), except in an enclosed shelter designated for smoking, provided the smoke does not come into contact with people entering or leaving the workplace
Provision for municipalities	<ul style="list-style-type: none"> • Not applicable
Summary	<ul style="list-style-type: none"> • Legislation strong for protection from tobacco smoke in indoor workplaces • Legislation weak for outdoor protection—could be strengthened by removing designated smoking areas within the 3 metre buffer zones of entrances and exits, prohibiting smoking on patios and creating smoke-free playgrounds and recreational fields, as well as buffer zones around air intakes and windows that open. • The legislation is also lagging behind as it does not address electronic cigarettes, waterpipes or other weeds and substances, including cannabis.

Notes

Nunavut has not yet introduced cannabis legislation, but the government has been consulting with stakeholders and residents and is currently seeking feedback on its proposed regulatory options for legalized recreational cannabis.