

## Provincial/Territorial E-Cigarette Legislation in Canada

As of 31 March 2018

	British Columbia	Manitoba	New Brunswick	Nova Scotia	Ontario	Prince Edward Island	Quebec	Newfoundland & Labrador
<b>Measure</b>	<p><i>Bill 14, The Tobacco Control Amendment Act</i></p> <p><i>Tobacco and Vapour Products Control Act</i></p>	<p><i>Bill 30, The Non-Smokers Health Protection Amendment Act (E-cigarettes)</i></p> <p><i>The Non-Smokers Health Protection and Vapour Products Act</i></p>	<p><i>Bill 57, An Act to Amend the Tobacco Sales Act</i></p> <p><i>Tobacco and Electronic Cigarette Sales Act</i></p>	<p><i>Bill 60, An Act to Amend ... the Smoke-free Places Act, and ... the Tobacco Access Act</i></p> <p><i>Smoke-free Places Act (amended) and Tobacco Access Act (amended)</i></p>	<p><i>Bill 174, Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017</i></p> <p><i>Smoke-Free Ontario Act, 2017</i></p>	<p><i>Bill 9, An Act to Amend the Smoke-free Places Act</i> <i>Bill 10, An Act to Amend the Tobacco Sales and Access Act</i></p> <p><i>Tobacco and Electronic Smoking Device Sales and Access Act</i></p>	<p><i>Bill 44, An Act to bolster tobacco control</i></p> <p><i>Tobacco Control Act</i></p>	<p><i>Bill 35, An Act to Amend the Smoke-Free Environment Act, 2005 and the Tobacco Control Act</i></p> <p><i>Smoke-Free Environment Act, 2005</i></p> <p><i>Tobacco and Vapour Products Control Act</i></p>
<b>Date introduced</b> <b>Date in effect</b>	<ul style="list-style-type: none"> <li>• 5 March 2015</li> <li>• 1 Sept 2016</li> </ul>	<ul style="list-style-type: none"> <li>• 1 June 2015</li> <li>• 1 October 2017</li> </ul>	<ul style="list-style-type: none"> <li>• 29 May 2015</li> <li>• 1 July 2015</li> </ul>	<ul style="list-style-type: none"> <li>• 24 October 2014</li> <li>• 31 May 2015</li> </ul>	<ul style="list-style-type: none"> <li>• 1 November 2017</li> <li>• Upon proclamation (TBD)</li> </ul>	<ul style="list-style-type: none"> <li>• 9 June 2015</li> <li>• 1 October 2015</li> </ul>	<ul style="list-style-type: none"> <li>• 1 May 2015</li> <li>• 26 November 2015 (most e-cig provisions)</li> </ul>	<ul style="list-style-type: none"> <li>• 2 June 2016</li> <li>• Sales-to-minors ban, workplace &amp; public place vaping ban &amp; ban on vaping in a motor vehicle with kids under 16 in effect 7 June 2016</li> <li>• Other provisions in effect 1 July 2017</li> </ul>
<b>Definitions</b>	<ul style="list-style-type: none"> <li>• Vaping and smoking are separated</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping and smoking are separated</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping defined as smoking</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping defined as smoking</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping and smoking are separated</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping defined as smoking; vapour defined as SHS</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping defined as smoking</li> <li>• E-cigarettes defined as tobacco</li> </ul>	<ul style="list-style-type: none"> <li>• Vaping defined as smoking</li> <li>• Definition of e-cigarette/e-substance does not exclude heated tobacco</li> </ul>
<b>Bans sales to minors</b>	✓ • Also bans supply to minors	✓ • Also bans supply to minors	✓ • Also bans supply to minors	✓ • Also bans supply to minors • Also bans possession by minors	✓ • Also bans supply to minors	✓ • Also bans supply to minors • Bans purchase by minors	✓ • Also bans supply to minors • Photo ID required, regardless of age	✓ • Also bans supply to minors

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<b>Bans sales in specified locations</b>	✓ • Sales banned wherever tobacco sales banned	X	✓ • Sales banned wherever tobacco sales banned	✓ • Sales banned in pharmacies • Sales banned wherever specified in the regulations	✓ • Sales banned wherever tobacco sales banned	✓ • Sales banned wherever tobacco sales banned	✓ • Sales banned wherever tobacco sales banned	✓ • Sales banned wherever tobacco sales banned
<b>Bans sales in specified locations (cont'd)</b>								
<b>Bans use in indoor public places/ workplaces</b>	✓ • Use banned where smoking banned • Exempts trial/use in shops where minors prohibited • Max. 2 customers can trial/use at a time	✓ • Use banned where smoking banned • Exempts trial/use in vape shops • Reg'y authority to exempt class of place if children generally not permitted access	✓	✓ • Use banned where smoking banned	✓ • Use banned where smoking banned • Exemption for testing in specialty e-cig shops proposed (not yet in effect)	✓	✓ • Use banned where smoking banned	✓ • Use banned where smoking banned
<b>Bans use in other places</b>	✓ • On/in school property • On/in health board property, except in designated areas • In cars with kids under 16 years • Within 6 m of doors, windows, air intakes (patios exempted if doors and windows are closed and air intakes inactive)	X	✓ • On/in school property • In cars with kids under 16 years • Within 3m of patios • Within 9m of doors, windows, air intakes • On/within 20m of playgrounds, beaches, sports fields • On/within 9m of outdoor trails	✓ • On/in school property • In cars with kids under 19 years • On restaurant/ bar patio • Within 4m of doors, windows, air intakes of workplaces	✓ • On/in school property • Daycare centres • Private home daycares • Common areas of MUH • Reserved seating area of sports arena or entertainment venue • In cars with kids under 16 years • Reg'y authority to ban use in additional places	✓ • In cars with kids under 19 years • On restaurant/bar patios, except 10 p.m. - 3 a.m. • Within 4.5m of doors, air intakes • On construction sites	✓ • In cars with kids under 16 years (in effect May 2016) • On restaurant/bar patios (in effect May 2016) • Within 9m of playgrounds • On sports fields and spectator areas • Within 9m of doors, windows, air intakes of public places	✓ • In cars with kids under 16 years • On restaurant/bar patios • Common areas of MUH

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<b>Bans point-of-sale promotion</b>	✓ <ul style="list-style-type: none"> <li>Requires POS warning signage</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> </ul>	✓ <ul style="list-style-type: none"> <li>Requires POS signage as prescribed in the regulations</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans outdoor signage</li> </ul>	✓ <ul style="list-style-type: none"> <li>Bans outdoor signage</li> </ul>
<b>Bans point-of-sale promotion (cont'd)</b>	<ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> <li>Bans objects like mugs or hats that promote brands or manufacturers of vapour products</li> <li>Permits prescribed signage, showing only availability and price</li> <li>Exempts premises where minors not permitted access</li> <li>Applies to duty free shops</li> </ul>	<ul style="list-style-type: none"> <li>Bans outdoor signage</li> <li>Permits prescribed signage, showing only products available, price</li> <li>Exempts premises where children are not permitted access</li> <li>Exempts vape shops</li> <li>Reg'y authority to exempt a class of place</li> </ul>	<ul style="list-style-type: none"> <li>Permits prescribed signage, showing only availability, price</li> <li>Exempts vape shops</li> </ul>	<ul style="list-style-type: none"> <li>Exempts vape shops from POS ban, but bans promotion visible from outside the retail premises</li> <li>Exempts tobacco-nists from POS ban, but bans promotion visible from outside the retail premises</li> </ul>	<ul style="list-style-type: none"> <li>Permits prescribed signage, showing only availability, price</li> <li>Prohibits promotion at entertainment venues by person(s)</li> <li>Proposed regulation exempts specialty vape shops from display and promotion ban</li> </ul>	<ul style="list-style-type: none"> <li>Bans outdoor signage</li> <li>Permits prescribed signage, showing only availability, price</li> <li>Mandates other retail signage</li> </ul>	<ul style="list-style-type: none"> <li>Permits prescribed signage, showing only availability, price</li> <li>Applies same prohibitions on promotion to e-cigarettes as tobacco products</li> </ul>	<ul style="list-style-type: none"> <li>Bans promotion visible from outside retail premises</li> <li>Requires POS signage as prescribed in the regulations (max. 3 signs showing only availability and price)</li> <li>Exempts vape shops &amp; tobacco-nists (minors must be accompanied by an adult) but bans promotion visible from outside the retail premises</li> </ul>

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<b>Bans point-of-sale display</b>	✓ <ul style="list-style-type: none"> <li>Exempts premises where minors not permitted access</li> <li>Permits vending machines in adult only venues</li> <li>Applies to duty free shops</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts premises where children not permitted</li> <li>Exempts vape shops</li> <li>Reg'y authority to exempt a class of place</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts vape shops</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts tobacconists</li> <li>Exempts vape shops</li> </ul>	✓ <ul style="list-style-type: none"> <li>Proposed regulation exempts specialty vape shops from display and promotion ban</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts tobacconists if children not permitted</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts vape shops, where sale of e-cigs is only business and minors not permitted</li> <li>Prohibits display visible outside premises</li> </ul>	✓ <ul style="list-style-type: none"> <li>Exempts vape shops, where sale of vapour products is only business and minors must be accompanied by an adult</li> <li>Exempts tobacconists</li> <li>Permits vending machines in adult only venues</li> <li></li> </ul>
<b>Controls flavours</b>	X	X	X	X	X <ul style="list-style-type: none"> <li>Reg'y authority to ban prescribed flavours</li> </ul>	X	X <ul style="list-style-type: none"> <li>Reg'y authority to ban prescribed flavours</li> </ul>	X
<b>Other</b>	<ul style="list-style-type: none"> <li>Exempts vapour products that are prescribed by regulation</li> </ul>		<ul style="list-style-type: none"> <li>Minors not permitted entry to vape shop unless with adult</li> <li>Reg'y authority to exempt e-cigarettes from any provisions</li> </ul>		<ul style="list-style-type: none"> <li>Sales banned from vending machines</li> <li>Minors under 19 not permitted entry to specialty vape shops</li> </ul>	<ul style="list-style-type: none"> <li>Prohibits false, misleading, deceptive advertising re characteristics, health effects, health hazards</li> </ul>	<ul style="list-style-type: none"> <li>Bans use of tobacco company or tobacco brand name, design element, logo, image, or slogan on any e-cigarette device, liquid, component</li> </ul>	<ul style="list-style-type: none"> <li>Designated vaping rooms permitted in select workplaces identified in the regs</li> </ul>