

## *Provincial and Territorial Smoke-Free Legislation*

# Quebec

Name of legislation	<ul style="list-style-type: none"> <li>• <i>The Tobacco Control Act</i></li> <li>• <i>An Act to bolster tobacco control (amending The Tobacco Act)</i></li> <li>• <i>The Tobacco Act</i> (repealed November 26, 2015)</li> <li>• <i>Bill 157, An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions</i> (not yet passed as of March 21, 2018)</li> </ul>
Date in force	<ul style="list-style-type: none"> <li>• November 26, 2015 (various aspects of the amendments were to come into force between November 2015 and November 2017)</li> </ul>
Workplaces	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited in virtually all enclosed workplaces</li> <li>• Smoking and vaping permitted in not more than 20% (down from 40%) of rooms available in hotels, and rooms where smoking is permitted must be grouped together</li> <li>• Smoking or vaping of medical cannabis permitted in a maximum of 20% of the rooms in a hospital, which must be grouped together</li> <li>• Smoking and vaping permitted in DSRs by in-patients or residents of group living facilities (includes long-term care and other residential care facilities)</li> </ul>
Restaurants	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited, including on and within 9 m of patios</li> </ul>
Casinos, bingos, etc.	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> </ul>
Bars	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited, including on and within 9 m of patios</li> </ul>
Public places	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited</li> <li>• Smoking and vaping 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 May 10, 2005</li> </ul>
Outdoor provisions	<ul style="list-style-type: none"> <li>• Smoking and vaping prohibited within a 9 m radius of any door, air intake or operable window leading to enclosed spaces that are open to the public</li> <li>• Smoking and vaping prohibited on and within 9 m of child daycare centre, pre-school, primary and secondary school grounds</li> <li>• Smoking and vaping prohibited on and within 9 m of playgrounds, sports and recreation fields and in bus</li> </ul>

	<ul style="list-style-type: none"> <li>shelters</li> <li>Health, social services, and post-secondary education institutions must have an outdoor smoke-free/vape-free policy in place by November 26, 2017</li> <li>The Government may, by regulation, determine other places where smoking is prohibited</li> </ul>
Private Vehicles	<ul style="list-style-type: none"> <li>Smoking and vaping prohibited in private vehicles with children under the age of 16 present</li> <li>If Bill 157 is adopted, smoking and vaping cannabis will be prohibited in all vehicles</li> </ul>
Provision for municipalities	<ul style="list-style-type: none"> <li>Not within <i>The Tobacco Control Act</i></li> <li><i>Municipal Powers Act</i> permits municipalities to enact more stringent bylaws regarding nuisances, but few municipalities have taken advantage of this provision</li> </ul>
Summary	<ul style="list-style-type: none"> <li><b>Indoor protection from SHS and vapour is strong</b></li> <li><b>Outdoor protection is now strong, too, making Quebec a national leader in smoke-free places legislation</b></li> </ul>

## Notes

Quebec was the 11<sup>th</sup> Canadian province/territory to pass smoke-free vehicle legislation, following Nova Scotia (2007), Yukon Territory (2008), Ontario (2008), British Columbia (2008), New Brunswick (2009), Prince Edward Island (2009), Manitoba (2009), Saskatchewan (2010), Newfoundland and Labrador (2011) and Alberta (2012). The Northwest Territories and Nunavut do not have such legislation.

The definition of “smoking” also covers the use of electronic cigarettes (vaping) or of any other device of that nature.

If adopted, the *Cannabis Regulation Act*, which amends the *Tobacco Control Act*, among other things, **will essentially prohibit cannabis smoking in the same places where tobacco use is prohibited, both indoors and outdoors.**

**However, patients in hospitals or hospices are allowed to smoke or vape prescribed medical cannabis in a maximum of 20% of the rooms in the facility.** As with smoking rooms in hotels, the rooms in hospitals where smoking is permitted must be grouped together so as to provide maximum protection to non-smokers given the total floor space, use and ventilation.

**Health, social services, and post-secondary education institutions were to have had an outdoor smoke-free/vape-free policy in place by November 26, 2017.** The legislation does not dictate what is to be covered in the policy.

Standards for outdoor smoking shelters, where they are allowed, are prescribed.