

Overview

An Act to Protect Young Persons and Other Persons From Tobacco Smoke

April 26, 2002

An Act to Protect Young Persons and Other Persons from Tobacco Smoke represents a significant step forward in the fight against tobacco in Nova Scotia. It protects people, especially children and youth, from second-hand tobacco smoke. This legislation is one element of the province's comprehensive tobacco strategy aimed at significantly reducing smoking rates and the burden of tobacco-related illness.

Key Components of the Legislation

No smoking in any of the following enclosed places:

- daycare
- school, community college or university [also, no smoking on school grounds]
- library, art gallery or museum
- health-care facility
- cinema or theatre
- video arcade
- pool hall, billiards room
- recreational facility where the primary activity is physical recreation, including, a bowling alley, fitness centre, gymnasium, pool or rink
- multi-service centre, community centre/hall, arena, fire hall or church hall
- meeting or conference room or hall, ballroom or conference centre
- retail shop, boutique, market or store or shopping mall;
- ferry, ferry terminal, bus, bus station or shelter, taxi, limousine or vehicle carrying passengers for hire
- vehicle used in the course of employment while carrying two or more employees
- common area of a commercial building or multi-unit residential building including corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms and restrooms
- offices of the Government of the Province, a municipality, a village or a school board
- provincial jail, detention centre, or reformatory
- any building or facility designated by the regulations

but is allowed in

- (a) a private home
- (b) at private functions where minors are not allowed

Workplaces (other than restaurants, bars, bingos, nursing homes, psychiatric facilities, veterans acute/long term care facilities)

- no smoking in indoor areas except in a designated smoking room that is enclosed and separately ventilated.
- youth under 19 years of age not permitted to enter the smoke room

Restaurants

- no smoking except in a designated smoking room that is enclosed and separately ventilated.
- designated smoking room cannot comprise more than 25% of seating area.
- youth under 19 years of age not permitted to enter the smoke room

Bars & lounges

- if youth under 19 are permitted to enter, no smoking except in a designated smoking room that is enclosed and separately ventilated.
- between 6:00AM and 9:00PM, the designated smoking room cannot comprise more than 25% of seating area.
- youth under 19 years of age not permitted to enter the smoke room

Bingo halls & Private clubs

- if youth under 19 are permitted to enter, no smoking except in a designated smoking room that is enclosed and separately ventilated.
- youth under 19 years of age not permitted to enter the smoke room

Outdoor eating places (i.e. patios, decks)

- restaurant patio/deck: no smoking
- bar/lounge patio/deck: no smoking between 6:00AM and 9:00PM

Psychiatric facility, nursing home or residential care facility or a part of a health-care facility used for the acute or long-term care of veterans:

- no smoking in indoor areas except in smoking room that is separately enclosed and separately ventilated
- youth under the age of nineteen years not permitted to enter smoking room

Municipal by-laws

- municipalities or other bodies may enact more restrictive by-laws.

Traditional tobacco use

- nothing affects traditional aboriginal spiritual or cultural practices/ceremonies using tobacco

Enforcement

- by inspectors appointed under the Act
- existing government infrastructure will be utilized

Tobacco Possession by Youth

- no youth under the age of 19 may possess tobacco
- tobacco possession is not an offence, however, peace officers with reasonable and probable grounds to believe that a person under 19 may be in possession of tobacco may search the person and confiscate tobacco in his/her possession.

Effective Date

- Comes into force on January 1, 2003

A copy of the legislation can be found at www.gov.ns.ca/health