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## PART II/PARTIE II

### REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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**PART II****REVISED REGULATIONS OF SASKATCHEWAN****CHAPTER T-14.1 REG 1***The Tobacco Control Act*

## Section 30

Order in Council 71/2002, dated February 13, 2002

(Filed February 14, 2002)

**Title****1** These regulations may be cited as *The Tobacco Control Regulations*.**Interpretation****2** In these regulations, “**Act**” means *The Tobacco Control Act*.**Advertise and promote****3** For the purposes of section 6 of the Act, the phrase “**advertise or promote**” does not include the display of a magazine or other publication that contains tobacco advertising if the magazine or other publication:

- (a) is displayed in such a way that the tobacco advertisement is not visible to the public; and
- (b) meets any requirements set out in the *Tobacco Act* (Canada) or any regulations made pursuant to that Act.

**Location of vending machines****4** For the purposes of paragraph 9(3)(b)(ii)(A) of the Act, where a vending machine that dispenses tobacco or tobacco-related products is located in a place or on premises to which the public is permitted access, the vending machine must be located not less than five metres from the innermost entrance to the place or premises.**Designated smoking room****5(1)** In this section:

- (a) “**designated smoking room**” means a separate enclosed ventilated place, mentioned in clause 11(3)(a) of the Act, within a special-care home or a personal care home;
- (b) “**personal care home**” means a personal care home mentioned in clause 11(2)(f) of the Act;
- (c) “**special-care home**” means a special-care home mentioned in clause 11(2)(e) of the Act.

**(2)** For the purposes of clause 11(3)(a) of the Act, a designated smoking room in a special-care home or personal care home:

- (a) must be set aside exclusively as a smoking room;
- (b) subject to subsection (3), must not be used for smoking by any person other than a resident or a person visiting a resident;

- (c) must have a door that:
    - (i) is capable of sealing to prevent smoke from escaping into other parts of the special-care home or personal care home;
    - (ii) is equipped with a device that causes the door to close automatically; and
    - (iii) is kept closed at all times except when opened to permit entry or exit from the room; and
  - (d) must have a ventilation system that:
    - (i) prevents recirculation of air from the designated smoking room to any other part of the special-care home or personal care home;
    - (ii) provides a continuous supply of fresh air into the designated smoking room;
    - (iii) is capable of replacing the air volume in the designated smoking room at least 12 times per hour; and
    - (iv) exhausts the air from the designated smoking room directly to the exterior of the special-care home or personal care home.
- (3) Where a designated smoking room is located in a personal care home in which the licensee of the home resides, the licensee and persons who reside with the licensee in the home may also use the designated smoking room.
- (4) For the purposes of subsection 14(1) of the Act, the use of safety ashtrays is permitted in a designated smoking room of a personal care home or special-care home.

#### Signs

- 6(1)** For the purposes of section 13 of the Act, “**statement respecting the prohibition against smoking or holding lighted tobacco**” includes a depiction of the international no smoking symbol as set out in the Appendix.
- (2) Subject to subsection (4), a sign that is required to be posted pursuant to section 13 of the Act:
- (a) must be at least 12.7 centimetres wide and 12.7 centimetres high;
  - (b) must contain the international no smoking symbol as set out in the Appendix, in a form that is at least nine centimetres in diameter; and
  - (c) subject to subsection (3), must be posted:
    - (i) at each entrance to the place or premises;
    - (ii) in each seating and waiting area of the place or premises; and
    - (iii) in each public washroom located in the place or on the premises.
- (3) A sign that is required to be posted pursuant to section 13 of the Act in a vehicle mentioned in clause 11(2)(n) of the Act must be posted in a place that is easily visible to passengers.

(4) Where a sign is required to be posted pursuant to section 13 of the Act in a place or premises mentioned in section 12 of the Act, every proprietor of a place or premises:

- (a) must, in each designated non-smoking area required by subsection 12(2) of the Act, post a sufficient number of signs meeting the requirements of clauses (2)(a) and (b) to clearly mark the area; and
- (b) must post a sign at each customer entrance that:
  - (i) meets the requirements of clauses (2)(a) and (b); and
  - (ii) contains the words “*no smoking in designated non-smoking areas*”.

**Posting sign required by prohibition order**

7(1) When a retailer or any successor to the retailer is required to post clearly visible signs in accordance with clause 23(1)(b) of the Act, the signs:

- (a) must be supplied by the department;
  - (b) must be posted from the time of commencement of operations on the day after the date of conviction and must be maintained in place until the end of the period specified in the order; and
  - (c) must be posted at each customer entrance to the place or premises at which the offence took place or to any place or premises to which the business of the retailer or the retailer’s successor is moved.
- (2) A sign mentioned in subsection (1):
- (a) must contain the following message:

*“Notice - Tobacco and tobacco-related products cannot be sold at this location. We were convicted of selling to someone under 18”*; and
  - (b) must include the following information:
    - (i) the name and address of the retailer to which the prohibition order applies; and
    - (ii) the length of the prohibition order.

**Coming into force**

8(1) Subject to subsection (2), these regulations come into force on the day on which *The Tobacco Control Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the coming into force of *The Tobacco Control Act*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

**Appendix**

*[Subsection 6(1) and clause 6(2)(b)]*

**International No Smoking Symbol**



**SASKATCHEWAN REGULATIONS 14/2002***The Summary Offences Procedure Act, 1990*

## Section 55

Order in Council 72/2002, dated February 13, 2002

(Filed February 14, 2002)

**Title**

**1** These regulations may be cited as *The Summary Offences Procedure Amendment Regulations, 2002*.

**R.R.S. c.S-63.1 Reg 2 amended**

**2** *The Summary Offences Procedure Regulations, 1991* are amended in the manner set forth in these regulations.

**Section 4 amended**

**3 Section 4 is amended by adding the following clause after clause (i):**

“(j) persons appointed pursuant to section 16 of *The Tobacco Control Act*, while enforcing that Act”.

**Section 5 amended**

**4 Section 5 is amended by adding the following clause after clause (w):**

“(x) *The Tobacco Control Act*”.

**Section 8 amended**

**5 Clause 8(a) is amended:**

**(a) by striking out “Tables 1 to 20” and substituting “Tables 1 to 22”;**  
**and**

**(b) by adding the following subclause after subclause (xxi):**

“(xxii) the offences pursuant to *The Tobacco Control Act* set out in Table 22”.

**Section 13 amended**

**6 Clause 13(2)(a) is amended by striking out “Table 1, 8 or 11” and substituting “Table 1, 8, 11 or 22”.**

## Appendix, Part 2, new Table 22

**7 The following Table is added after Table 21 in Part 2 of the Appendix:**

“Table 22  
*The Tobacco Control Act*”

The provisions set out in Column 3 are the provisions of *The Tobacco Control Act* that impose the prohibitions or requirements described in Column 2. The provisions of that Act listed in Column 4 provide that contraventions of the corresponding provisions in Column 3 are offences. The provisions in Column 3 that are marked with an asterisk are the provisions for which a peace officer may withdraw the specified penalty sum option and require the defendant to appear in court.

Column 1 Item Number	Column 2 Description of Offence	Column 3 Section	Column 4 Offence	Column 5 Penalty Sum in Dollars
1.	Furnishing tobacco or a tobacco-related product to a young person.	4*	20	\$250
2.	Selling cigarettes in packages of less than 20.	5*	20	250
3.	Advertising or promoting tobacco or tobacco-related products in a place in which the products are sold and to which young persons are permitted access.	6(1)*	20	250
4.	Advertising or promoting tobacco or tobacco-related products in windows of any place where the tobacco or tobacco-related products are sold.	6(2)	20	150
5.	Displaying tobacco or tobacco-related products that are visible to the public in business premises where young persons are permitted access.	6(3)*	20	250
6.	Displaying unauthorized signs where tobacco or tobacco-related products are sold.	7(1)	20	150



7.	Failing to display sign respecting legal age to purchase tobacco or tobacco-related products or health warnings respecting tobacco.	7(2)	20	150
8.	Selling tobacco or tobacco-related products in prohibited place.	8*	20	250
9.	Permitting a vending machine to be located in prohibited place.	9(2)(a)*	20	250
10.	Placing a vending machine in prohibited place.	9(2)(b)*	20	250
11.	Smoking in an enclosed public place to which young persons are ordinarily permitted access.	11(1)	25	150
12.	Smoking in prohibited place or premises.	11(2)	25(1)	150
13.	Failing to ensure that an establishment has designated non-smoking areas as required.	12(2)(a)*	25(2)	500
14.	Failing to prohibit persons from smoking in designated non-smoking area.	12(2)(b)*	25(2)	500
15.	Failing to post signs respecting the prohibition against smoking as required.	13	25(2)	100
16.	Failing to ensure that ashtrays and products associated with the use of tobacco are not available in specified public place.	14	25(2)	150
17.	Removing, covering up, mutilating, defacing or altering a sign required to be displayed or posted	19	25(3)	150".

**Coming into force**

8(1) Subject to subsection (2), these regulations come into force on the day on which *The Tobacco Control Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the coming into force of *The Tobacco Control Act*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.



