

The Tobacco Control Act

What Retailers Need to Know

This is the first in a series of bulletins that will provide tobacco retailers with information about Saskatchewan's *Tobacco Control Act* and what is required to comply with the law.

The *Tobacco Control Act* received Royal Assent last July, and will become law in the coming months. The purpose of the Act is to control the sale and use of tobacco and tobacco-related products, in an effort to reduce tobacco use and exposure among Saskatchewan young people. Bill 56 addresses issues such as furnishing tobacco to young persons, advertising and promotion of tobacco and tobacco products, and protection against environmental tobacco smoke.

This bulletin provides a brief summary of the sections of *The Tobacco Control Act* that apply to tobacco sales. We hope that you and your employees will find this information useful and that it will assist you in complying with the new law.

TOBACCO SALES TO MINORS

It is illegal to furnish tobacco products to anyone under the age of 18. Furnish means to sell, to lend, to give, or to offer tobacco products as payment for a service.

It is illegal to sell cigarettes in packages that contain fewer than 20 cigarettes. Even furnishing a single cigarette to someone under the age of 18 is illegal.

If young people have access to your retail outlet, tobacco or tobacco-related products cannot be displayed, and tobacco advertising cannot be used.

PHOTO ID

When in doubt about a person's age, one of the following photo IDs is required:

- Saskatchewan Driver's Licence with a photo;
- Canadian Passport;
- Certificate of Canadian Citizenship;
- Canadian Forces Identification Card;
- Any other ID document, issued by the government, a province or territory of Canada, containing the person's photograph, date of birth and signature.

If a young person cannot provide proper ID or if it appears that the ID has been altered in any way, there should not be a sale.

SIGNAGE

Tobacco retailers will be required to post provincial signs. Retailers may also use signs developed for their business. Signs other than those required by the federal *Tobacco Act* must be approved by Saskatchewan Health. Future retailer bulletins will provide details on signage requirements.

TOBACCO SALES

Tobacco sales are prohibited in:

- Schools and registered independent schools;
- Facilities or places operated by a district health board;
- Special-care homes;
- Mental Health facilities; and
- Community Clinics.

FINES

The fines for offences under *The Tobacco Control Act* are listed on the back of this bulletin. Tobacco Enforcement Officers will be provided with the authority to issue tickets. Most offences will have a voluntary payment option under the regulations of *The Summary Offences Procedures Act*. The fine levels for ticketed offences are less than the fines outlined in the Act.

For more information, call Saskatchewan Health at **(306) 787-3084**. A copy of *The Tobacco Control Act* can be accessed from the Saskatchewan Government, Queen's Printer Web Site at www.qp.gov.sk.ca.

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Fines and Offences

Violation	Number of Offences	Maximum Fine	
These fines and penalties apply to section 4.			
<u>Section 4</u> Furnishing tobacco products to a young person.	1st offence	\$3,000	
	2nd offence	\$5,000 and banned from selling tobacco products for seven days	
	3rd offence	\$15,000 and banned from selling tobacco products for six months	
	4th offence	\$50,000 and banned from selling tobacco products for one year	
These fines apply to sections 5 – 9.			
<u>Section 5</u> Selling cigarettes in packages with fewer than 20 cigarettes. <u>Section 6</u> Tobacco promotion and displays restricted in retail outlets where children have access. <u>Section 7</u> Signage requirements for retail outlets. <u>Section 8</u> Tobacco sales prohibited in certain places. <u>Section 9</u> Vending machines.	1st offence	\$3,000	
	2nd offence	\$5,000	
	3rd offence	\$15,000	
	4th offence	\$50,000	
This fine applies to section 11.			
<u>Section 11</u> Person smoking in a public place outlined in the Act.		\$500	
This fine applies to sections 12 – 14.			
<u>Section 12</u> Business requirements for non-smoking areas. <u>Section 13</u> Signage requirements. <u>Section 14</u> Ashtrays, etc. prohibited.		\$5,000	
	This fine applies to sections 18 – 19.		
	<u>Section 18</u> Obstruction and false statements.		\$3,000
<u>Section 19</u> Sign removal or alterations.			

* Ticketing and voluntary payment options will be included in the regulations of *The Summary Offences Procedures Act*.