

The Ministry of Health is responsible for administering the *Tobacco Control Act* and Regulation. The five regional health authorities enforce the provincial Act and Regulation.

The Ministry of Small Business and Revenue is responsible for administering the *Tobacco Tax Act* and the *Tobacco Tax Act* Regulation. Although their focus is the registration and tax aspects of tobacco sales, there may be overlap with the work of tobacco enforcement officers when someone violates either or both of these statutes. Tobacco enforcement officers' examinations may include sales records, inventory records, tobacco stamps and tear tapes on inventory.

The Ministry of Health and the Ministry of Small Business and Revenue are legally entitled to exchange information regarding persons who are authorized to sell tobacco at retail in B.C.

Police

Police officers may, from time to time, assist tobacco enforcement officials in dealing with situations in which there is potential risk to health and safety. Police assistance may include accompanying tobacco enforcement officers on compliance checks, in surveillance activities, or in seizure activities. Although such assistance is not often required, it can be requested in appropriate circumstances.

Local Government

Local governments are permitted to pass bylaws regarding tobacco control, including bylaws that prohibit smoking in certain places. Many local governments have developed bylaws imposing requirements that are more restrictive than provincial law.

Local government bylaws are enforced by local officials. Provincial tobacco enforcement officers are not responsible for enforcing local government bylaws unless there has been a specific agreement between a local government and a health authority, and a delegation of authority to the tobacco enforcement officer.

For more information:

Federal

Tobacco Act:

www.gosmokefree.ca

Provincial

Tobacco Control Act and Regulation at:

www.health.gov.bc.ca/tobacco

Tobacco Tax Act and Regulation at:

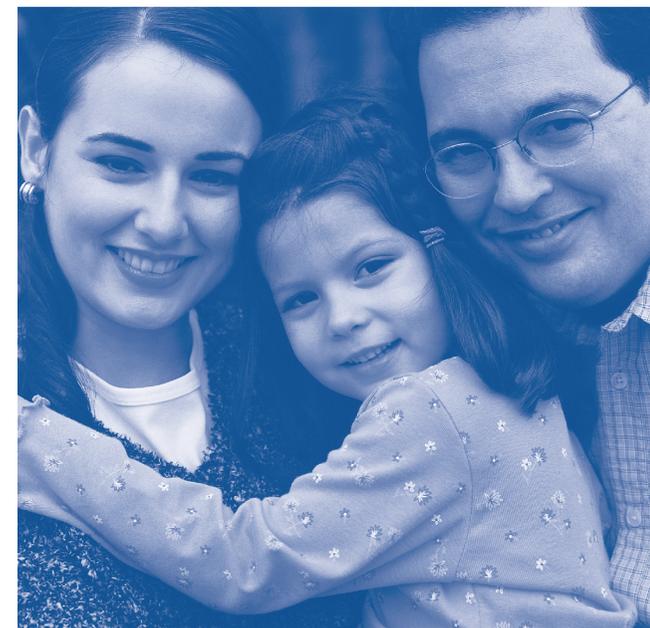
www.sbr.gov.bc.ca/individuals/Consumer_Taxes/Tobacco_Tax/bulletins-leg-notices.htm

Local Government

Please consult the blue pages in your local phone book.

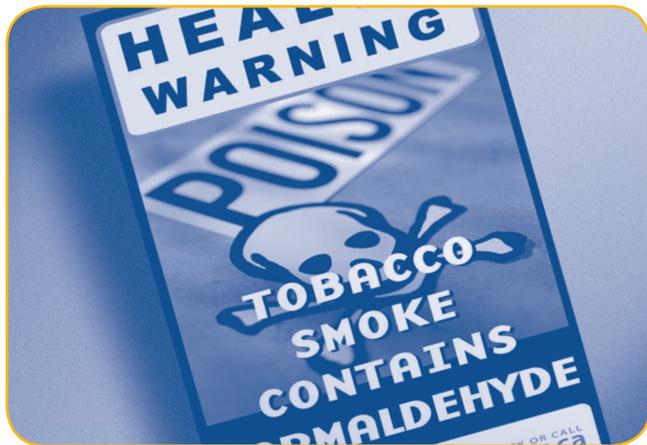
Promoting Better Health
for All British Columbians

Tobacco Laws in British Columbia



Whether you are selling, promoting, giving or consuming tobacco products,

these activities involve federal, provincial and sometimes local government laws and officials. Joint inspections involving tobacco enforcement officials representing different levels of government sometimes occur. This brochure gives an overview of “who is responsible for what” when it comes to enforcing tobacco laws and regulations in B.C.



Federal

The federal *Tobacco Act* is administered by Health Canada. This Act governs the manufacture, sale, labelling and promotion of tobacco products and provides the authority to make regulations on these issues. Key requirements of this Act and Regulation include:

- ▶ Tobacco products must be manufactured in conformity with product standards;
- ▶ Manufacturers of a tobacco product must provide information about the product and its emissions;
- ▶ Tobacco products may not be furnished to a young person in a public place;
- ▶ Retailers must post signs that inform the public that selling or giving of a tobacco product to a young person is prohibited by law, or that contain a prescribed health message;
- ▶ Retailers may not sell a tobacco product by means of a display that permits a person to handle the tobacco product before paying for it;
- ▶ Manufacturers or retailers may not sell a tobacco product unless the package containing it displays information about the product and its emissions, and about the health hazards resulting from the use of the product or from its emissions;
- ▶ Tobacco products or tobacco product-related brand elements may not be promoted, except as authorized by the *Tobacco Act* or its regulations; and
- ▶ Federal inspectors may enter and inspect any place in which they believe a tobacco product is manufactured, tested, stored, packaged, labelled or sold.

Provincial

In British Columbia, the use, sale and display of tobacco products are regulated by the *Tobacco Control Act* and the Tobacco Control Regulation. This legislation covers such things as:

- ▶ Restrictions on the sale, distribution and advertising or promotion of tobacco, including:
 - prohibiting sale of tobacco to minors,
 - prohibiting sale of cigarettes in packages of less than 20, and
 - requiring warning signs at points of sale.
- ▶ Restrictions on where tobacco products may be sold, offered for sale or distributed;
- ▶ Restrictions on where tobacco products may be used;
- ▶ Restrictions on the retail display of tobacco and the advertising or promotion of the use of tobacco by means of a sign or otherwise; and
- ▶ Specifying the powers of enforcement officers, and their right to seize and detain items that may constitute evidence of a contravention or an offence.

