

1999 BILL 208

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Third Session, 24th Legislature, 48 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 208

PREVENTION OF YOUTH  
TOBACCO USE ACT

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MR. JOHNSON

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 208*  
*Mr. Johnson*

## **BILL 208**

1999

### **PREVENTION OF YOUTH TOBACCO USE ACT**

*(Assented to , 1999)*

Preamble

WHEREAS the Legislature of Alberta has a responsibility to promote the health of young persons by restricting their access to tobacco products in light of the risks associated with the use of tobacco products; and

WHEREAS conclusive evidence implicates the use of tobacco products in the incidence of numerous debilitating and fatal diseases affecting the health of Albertans;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

**1** In this Act,

- (a) “tobacco product” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves but does not include any product for use in nicotine replacement therapy;
- (b) “peace officer” means a peace officer as defined in the *Provincial Offences Procedure Act*;
- (c) “public place” means a place or building that is open to the public but does not include a private dwelling.

Restrictions  
concerning  
tobacco  
products

**2** No person under the age of 18 years may smoke or otherwise consume tobacco products in a public place.

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| Offence                                     | <b>3</b> A person who contravenes section 2 is guilty of an offence and liable to a fine of not more than \$100.  |
| Seizure and disposition of tobacco products | <p><b>4(1)</b> When a peace officer believes on reasonable and probable grounds that an offence is being committed under this Act, the peace officer may seize any tobacco products related to that offence.</p> <p><b>(2)</b> When a conviction under this Act becomes final, any tobacco products in respect of which the offence was committed that were seized are, as part of the penalty for the conviction, forfeited to the Crown.</p> <p><b>(3)</b> Items seized and forfeited to the Crown shall be disposed of or destroyed under the direction of the Minister of Justice and Attorney General.</p> <p><b>(4)</b> When a person is not convicted of an offence under this Act, a judge may make an order concerning the disposition of any tobacco products seized in relation to that offence.</p> |
| Coming into force                           | <b>5</b> This Act comes into force on Proclamation.   |