

**Following unanimous consent of
the Assembly on October 28, 2013, to
change the sponsor of
Bill 206, this Bill replaces
Bill 206 introduced
on December 6, 2012, by
then Private Member, Dr. Starke, and
subsequently sponsored on
March 11, 2013, by
then Private Member, Mr. Fraser.**

2012 Bill 206

First Session, 28th Legislature, 61 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

TOBACCO REDUCTION (FLAVOURED TOBACCO
PRODUCTS) AMENDMENT ACT, 2012

MS CUSANELLI

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 206

2012

TOBACCO REDUCTION (FLAVOURED TOBACCO PRODUCTS) AMENDMENT ACT, 2012

(Assented to , 2012)

Preamble

WHEREAS the popularity of flavoured tobacco among youth is increasing their risk of developing a dangerous and lasting addiction to tobacco products;

WHEREAS other jurisdictions have recognized the need to restrict the sale of certain tobacco products that are designed to attract young persons; and

WHEREAS there is a need in Alberta to curb consumption of tobacco products among youth by restricting the sale of flavoured tobacco;

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

Amends SA 2005 cT-3.8

1 The *Tobacco Reduction Act* is amended by this Act.

2 The following is added after section 7.3:

Sale of flavoured tobacco products prohibited

7.4 No person shall sell or offer to sell a tobacco product that contains a flavouring agent prohibited by the regulations.

Explanatory Notes

- 1** Amends chapter T-3.8 of the Statutes of Alberta, 2005.
- 2** New provision prohibiting the sale of flavoured tobacco products.

3 Section 8(2) is amended by striking out “7.2 or 7.3” and substituting “7.2, 7.3 or 7.4”.

4 Section 9(1) is amended by adding the following after clause (d):

- (d.1) for the purposes of section 7.4, designating flavouring agents that are prohibited;

3 Section 8(2) presently reads:

(2) A person who contravenes section 6, 7, 7.1, 7.2 or 7.3 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$10 000, and*
- (b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.*

4 Section 9(1) currently reads:

9(1) The Lieutenant Governor in Council may make regulations

- (a) for greater certainty, designating a place or class of place as a public place, workplace, hotel, public vehicle or restaurant for the purposes of this Act;*
- (b) for the purposes of section 3(d), prescribing a distance from a doorway, window or air intake of a public place or workplace;*
- (c) for the purposes of section 5, prescribing requirements for smoking rooms;*
- (d) for the purposes of sections 7 and 7.2, respecting the form and contents, the manner of posting, the display and the location of signs;*
- (e) respecting the appointment or designation of inspectors and the powers, duties and obligations of inspectors, including, without limitation, regulations*
 - (i) authorizing inspectors*
 - (A) to make any inspection, investigation or inquiry that the inspector considers necessary,*
 - (B) at any reasonable time to enter any place where tobacco products are sold,*
 - (C) at any reasonable time to enter any place containing records that relate to the sale of tobacco products, and to inspect those records,*
 - (D) to make copies of any records described in paragraph (C), and*
 - (E) to seize any tobacco products and displays related to tobacco products for the purposes of administering and enforcing this Act and the regulations and any order made under section 8.4;*

5 This Act comes into force on Proclamation.

- (ii) respecting the handling and disposition of seized tobacco products and displays related to tobacco products;*
- (f) respecting the form, contents and service of orders made under section 8.4;*
- (g) exempting a person or a class of persons from all or any of the requirements of this Act;*
- (h) designating provisions in the regulations the contravention of which is an offence;*
- (i) defining any word or phrase used but not defined in this Act;*
- (j) respecting any matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Act.*

5 Coming into force.

Record of Debate

[illegible]