

New Vaping Legislation in Saskatchewan

The Government of Saskatchewan is amending *The Tobacco Control Act* to bring vapour devices and related products in line with the existing tobacco legislation and provide the Government with the authority to restrict the sale of flavoured tobacco and vaping products through future regulations. The primary goal behind the amendments is to keep vapour products out of the hands of youth. The amendments to *The Tobacco Control Act*, contained in *Bill No. 182*, were given Royal Assent on December 4, 2019. The amendments have not yet come into force, but will come into effect in the spring of 2020.

The amended title of *The Tobacco Control Act* will be *The Tobacco and Vapour Products Control Act*. The amendments define and control vapour products to include an e-cigarette, as well as an e-substance and a cartridge for or a component of an e-cigarette.

The key changes include:

- prohibiting individuals from selling, giving, or providing vapour products to anyone under the age of 18;
- prohibiting the display, advertising, or promoting of vapour products, in the same manner as tobacco products, meaning vapour products must be hidden from view to those under 18;
- prohibiting the advertising or promoting of vapour products on outdoor signs of any type;
- making it mandatory for retailers to post signs supplied by the Ministry of Health showing the minimum legal age to purchase vapour products or health warnings respecting vapour product;
- restricting signs posted relating to the legal age to purchase vapour products or health warnings respecting vapour products to only those approved by the Ministry of Health or authorized pursuant to the federal *Tobacco and Vaping Products Act*;
- prohibiting the sale of vapour products in certain places, such as schools, health facilities, pharmacies, amusement parks, arcades, and theatres;

- restricting the use of vapour products in enclosed public places, including schools and on the grounds surrounding schools;
- requiring retailers in enclosed public places to request patrons to stop using or consuming vapour products in such places;
- prohibiting the consumption of vapour products in a vehicle while another person who is under the age of 16 is with them;
- requiring schools to post signs stating a ban on the use of vapour products at the school; and
- ensuring that tobacco enforcement officers have expanded authority to enforce the new vapour product restrictions.

The amendments provide government the authority to restrict or ban the sale of flavoured tobacco and vapour products by regulation. It is unclear what the exact regulations will look like and there is no timeline for when the regulations related to flavoured tobacco and vapour products will come into effect.

While some municipalities have bylaws in place related to vapour products, we note that the City of Swift Current currently does not address vaping or vaping products in their bylaws.

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