1st SESSION, 65th GENERAL ASSEMBLY
Province of Prince Edward Island
64 ELIZABETH II, 2015

CHAPTER 15

(Bill No. 9)

An Act to Amend the Smoke-free Places Act

Honourable Doug W. Currie
Minister of Health and Wellness

GOVERNMENT BILL

MICHAEL D. FAGAN
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CHAPTER 15

An Act to Amend the Smoke-free Places Act

(Assented to July 10, 2015)

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. Section 1 of the *Smoke-free Places Act* R.S.P.E.I. 1988, Cap. S-4.2 is amended

(a) by the addition of the following after clause (d):

(d.1) "electronic smoking device" means an electronic or battery-operated device used or intended to be used to deliver vapourized solutions by inhalation from the device in a manner that resembles smoking tobacco, such as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic waterpipe; electronic smoking device

(b) in subclause (i)(ii), by the deletion of the words "Department of Health and Wellness**" and the substitution of the words "**Government or an agent of the Government**";**

(c) in clause (l),

(i) in paragraph (i)(G), by the deletion of the word "or**" after the comma,**

(ii) in subclause (ii), by the deletion of the semi-colon and the substitution of the words ", or**", and**

(iii) by the addition of the following after subclause (ii):

(iii) any other place designated in the regulations as a public place;

(d) by the repeal of clause (m) and the substitution of the following:

(m) "second-hand smoke" means a mixture of the gases, particles or vapours second-hand smoke

(i) released into the air by

(A) an ignited tobacco product, or

(B) an operating electronic smoking device, waterpipe or other device or instrument used or intended to be used to deliver vapour or smoke by inhalation from the device in a manner that resembles smoking tobacco, and

(ii) exhaled by a person who has inhaled gases, particles or vapours from a product, device or instrument referred to in subclause (i);

(e) by the repeal of clause (n) and the substitution of the following:

smoke

(n) "smoke", as a verb, means to smoke, utilize, hold or otherwise have control over

(i) an ignited tobacco product, or

(ii) an operating electronic smoking device, waterpipe or other device or instrument used or intended to be used to deliver vapour or smoke by inhalation from the device in a manner that resembles smoking tobacco;

(f) by the addition of the following after clause (o):

waterpipe

(o.1) "waterpipe" means an instrument used or intended to be used to smoke tobacco or other products, in which smoke generated during its operation passes through a liquid before it may be inhaled from the instrument;

2. This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

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An Act to Amend the Smoke-free Places Act

STAGE:	*DATE:*
1st Reading:	June 9, 2015
2nd Reading:	July 3, 2015
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Assent:	July 10, 2015

SIGNATURES:

Honourable H. Frank Lewis, Lieutenant Governor

Honourable Francis (Buck) Watts, Speaker

Clerk

Honourable Doug W. Currie

Minister of Health and Wellness

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