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

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
Queen's Printer
Charlottetown, Prince Edward Island

An Act to Amend the Smoke-free Places Act

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.

EXPLANATORY NOTES

SECTION 1 defines “electronic smoking device” and “waterpipe”; amends “second-hand smoke” to include gases, particles or vapours released from electronic smoking devices, waterpipes and similar devices or instruments and from those utilizing them; and amends “smoke” to include smoking, utilizing, holding or otherwise having control over an operating electronic smoking device, waterpipe or similar device or instrument.

Prohibitions and requirements in the Act respecting smoking now apply with respect to smoking tobacco products and electronic smoking devices, waterpipes or similar devices or instruments.

The section also amends a reference to an old department name and provides for a place to be designated in the regulations as a “public place”.

SECTION 2 provides for the commencement of this Act on proclamation.

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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	June 9, 2015
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

SIGNATURES:

Honourable H. Frank Lewis, Lieutenant Governor

Honourable Francis (Buck) Watts, Speaker

Clerk

Honourable Doug W. Currie
Minister of Health and Wellness

GOVERNMENT BILL

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