TOBACCO CONTROL ACT

CONSOLIDATION OF TOBACCO CONTROL REGULATIONS

R-011-2007 In force June 13, 2007

(Current to: November 16, 2010)

AS AMENDED BY:

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories*, 1990 and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. The *Nunavut Gazette* and this consolidation are also available online at http://www.justice.gov.nu.ca/english/legislation.html but are not official statements of the law.

Any registered regulations not yet published in the *Nunavut Gazette* can be obtained through the Registrar of Regulations at the address below.

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

c. means "chapter".

CIF means "comes into force".

NIF means "not in force".

s. means "section" or "sections", "subsection" or "subsections", "paragraph" or

"paragraphs".

Sch. means "schedule".

Citation of Acts

R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the Revised Statutes of the Northwest

Territories, 1988.

R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the*

Northwest Territories, 1988. (Note: The Supplement is in three

volumes.)

S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the

Northwest Territories.

S.Nu. 2002,c.14 means Chapter 14 of the 2002 Annual Volume of the Statutes of

Nunavut.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1 means Chapter A-1 of the Revised Regulations of the Northwest

Territories, 1990.

R-005-98 means the regulation registered as R-005-98 in 1998. (*Note: This is a*

Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before

January 1, 2000.)

R-012-2003 means the regulation registered as R-012-2003 in 2003. (Note: This is a

Nunavut regulation made on or after January 1, 2000.)

SI-005-98 means the instrument registered as SI-005-98 in 1998. (Note: This is a

Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after

April 1, 1999 and before January 1, 2000.)

SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (Note: This is

a Nunavut statutory instrument made on or after January 1, 2000.)

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Languages

1. Any written information that is required to be posted or displayed by the Act or these regulations must be in Inuktitut, Inuinnaqtun, English and French.

Proof of Age

- 2. The following documents may be used to verify the age of a person for the purposes of section 3 of the Act:
 - (a) a driver's licence;
 - (b) a firearm's acquisition certificate;
 - (c) a passport;
 - (d) a certificate of Canadian citizenship that bears the person's photograph;
 - (e) a Canadian permanent resident card;
 - (f) a Canadian Armed Forces identification card;
 - (g) any other documentation that is issued by a federal, provincial, territorial or municipal government, agency or institution, or a foreign government, and that
 - (i) bears the person's photograph and signature, and
 - (ii) sets out the person's date of birth.

Advertisement and Promotion

- **3.** (1) For the purposes of section 8 of the Act, an advertisement or display of tobacco or tobacco products must meet the following requirements:
 - (a) the advertisement or display must not be placed so as to be visible from outside of the retail premises;
 - (b) the display must not be a countertop display;
 - (c) the display must be entirely covered by a non-transparent panel that identifies the items as tobacco products and indicates their availability for sale.
- (2) The panel referred to in paragraph (1)(c) must have prominently affixed or displayed on its front both of the following:

1

(a) a sign measuring not more than 216 mm by 279 mm that displays the following message set in black 14 point Arial type for English, Inuinnaqtun and French and similar sized syllabic equivalent for Inuktitut, on a white background:

 C^{b}

Tobacco Products

Tipaakuq

Produits du tabac;

- (b) a sign measuring not less than 216 mm by 279 mm that displays one of the following messages set in black 28 point Arial type for English, Inuinnaqtun and French and similar sized syllabic equivalent for Inuktitut, on a white background:

Tobacco causes lung, throat, mouth and tongue cancer

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Tipaakuq puvangmut, iggiamut, qanirmut uqarmullu kaansuningnaqtuq

Le tabac cause le cancer du poumon, de la gorge, de la bouche et de la langue

(ii) $CL^{\circ}C C^{\circ}C C$

Tobacco kills 50% of all smokers

Tipaakuq 50% mik inungnik huirutivaktuq

Le tabac tue 50 % de tous les fumeurs

(iii) $\forall U \subset A_1 \supset A_2 \cup A_3 \cup A_3 \cup A_4 \cup A_4 \cup A_4 \cup A_5 \cup A_4 \cup A_5 \cup A_4 \cup A_5 \cup A_$

Second hand smoke causes cancer

Higaaqtumit puyua kaansuningnaqtuq

La fumée secondaire cause le cancer

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90% of lung cancer is caused by tobacco

90% nguyuq amigainnia puvangmut kaansuningnaqtuq tipaakurmit

90 % des cancers du poumon sont causés par le tabac.

(3) The message referred to in paragraph (2)(b) must be rotated every three months and each message must be displayed once each year.

Signs

- **4.** (1) A sign bearing a health warning that is required to be posted under section 11 of the Act must be in the form set out in Schedule A and must
 - (a) measure not less than 430 mm by 278 mm;
 - (b) be posted at each entrance so that the sign is conspicuous and not obstructed from view; and
 - (c) display the following message set in white or red 14 point ERAS ITC Bold type for English, Inuinnaqtun and French and 15.43 point Nunacom type for Inuktitut, on a background depicting a mother smoking a cigarette and a child in an amautik wearing a gas mask:

SECOND HAND SMOKE IS HARMFUL TO YOUR BABY'S HEALTH

NAIMAGIAMI HIGAAQTUMIT HIVUURANAQTUQ BIIBINNUAT INUUHINGITNUT

LA FUMÉE SECONDAIRE EST NUISIBLE À LA SANTÉ DE VOTRE BÉBÉ.

- (2) A sign referring to the prohibition against selling or supplying tobacco to a young person that is required to be posted under section 11 of the Act must be in the form set out in Schedule B and must
 - (a) measure not less than 227 mm by 176 mm;
 - (b) be posted at the place of purchase so that the sign is conspicuous and not obstructed from view; and

(c) display the following message set in white 16 point ERAS ITC Bold type for English, Inuinnaqtun and French and 18 point Nunacom type for Inuktitut, on a background depicting a person handing a package of cigarettes to a young person:

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It is illegal to give or sell tobacco products to persons under the age of 19

Kuatiliqinnaqtuq niuviqtitaigiami tunigiamiluuniit tipaakumik nutaqanut qulaani 19nik ukiuqaqtunut

Il est illégal d'offrir ou de vendre des produits du tabac aux moins de 19 ans.

- **5.** A sign that is required to be posted under subsection 13(3) or 14(4) of the Act must
 - (a) measure not less than 76 mm by 76 mm;
 - (b) be posted so that the sign is conspicuous and not obstructed from view
 - (i) at each entrance to the place or premises,
 - (ii) in each seating and waiting area of the place or premises, and
 - (iii) in each public washroom located in the place or on the premises; and
 - (c) display, in a form that is at least 100 mm in diameter,
 - (i) the international no smoking symbol set out in Schedule C, or
 - (ii) the Nunavut no smoking symbol set out in Schedule D.
- **6.** (1) A sign that is required to be posted under subsection 21(1) of the Act must be in the form set out in Schedule E and must
 - (a) measure not less than 353 mm by 226 mm;
 - (b) be posted at each customer entrance to the place or premises at which the offence took place or to any place or premises to which the business of the retailer or the retailer's successor is moved; and
 - (c) display all the following:
 - (i) the following message set in white 48-53 point Stencil Standard Bold type for English, Inuinnaqtun and French and 75 point Nunacom type for Inuktitut, on a black background:

LCP.L. Y.9Lc\4.P

I BROKE THE LAW

AHIRUQTARA MALIGAQ

J'AI CONTREVENU À LA LOI

(ii) the following message set in white or red 27 point ERAS ITC Bold type for English, Inuinnaqtun and French and 28 point Nunacom type for Inuktitut, on a black background:

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My tobacco license has been SUSPENDED

Tipaakutiga laisinga PIIQTAUYUQ

Mon permis de vente de produits du tabac a été SUSPENDU

(iii) the following message set in white 21 point Arial Black type English, Inuinnaqtun and French and 22 point Nunacom type for Inuktitut, on a black background:

It is illegal to sell or give tobacco to minors under 19 years of age

Kuatiliqinnaqtuq niuviqtitaigiami tunigiamiluuniit tipaakumik nutaqanut qulaani 19nik ukiuqaqtunut

Il est illégal de vendre ou d'offrir du tabac aux moins de 19 ans.

(2) A sign referred to in subsection 21(1) of the Act must be posted from the time of commencement of operations on the day after the date of conviction or as otherwise ordered by the court and must be maintained in place until the end of the period specified in the order.

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SCHEDULE C

(Section 5)

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International No Smoking Symbol



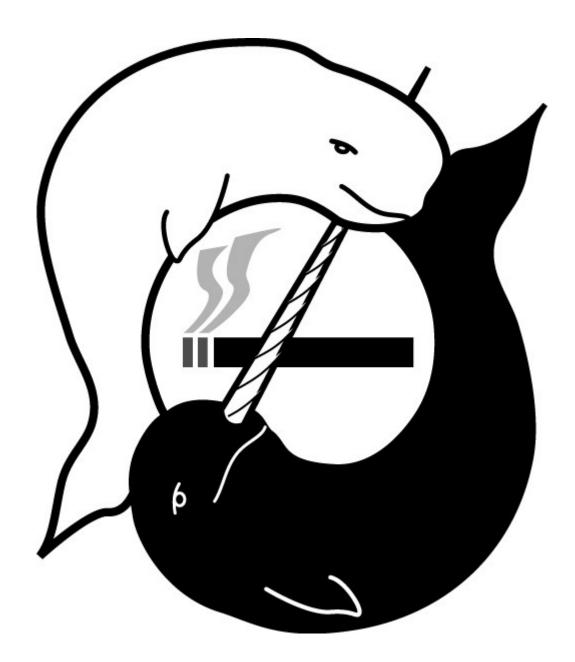
[pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it]

SCHEDULE D

(Section 5)

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Nunavut No Smoking Symbol



[pictorial representation of a burning cigarette enclosed in a circle formed by a white beluga and black narwhale, with the narwhale's tusk forming a bar across the cigarette]

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LCUTARA MALIGAQ AHIRUQTARA MALIGAQ I BROKE THE LAW J'AI CONTREVENU À LA LOI

Tipaakutiga laisinga PIIQTAUYUQ

My tobacco license has been SUSPENDED

Mon permis de vente de produits du tabac a été SUSPENDU

Kuatiliqinnaqtuq niuviqtitaigiami tunigiamiluuniit tipaakumik nutaqanut qulaani 19nik ukiuqaqtunut.

It is illegal to sell or give tobacco to minors under 19 years of age.

Il est illégal de vendre ou d'offrir des produits du tabac aux moins de 19 ans.









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