

[Tobacco \(Access\) Regulations \(T-11.5 -- SOR/99-93 \)](#)

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Updated to December 31, 2001

Tobacco (Access) Regulations

SOR/99-93

Registration 11 February, 1999

TOBACCO ACT

Tobacco (Access) Regulations

P.C. 1999-197 11 February, 1999

Whereas, pursuant to section 42.1 of the *Tobacco Act*, the Minister of Health laid a copy of the proposed *Tobacco (Access) Regulations*, in the annexed form, before the House of Commons on June 3, 1998 and the House of Commons did not concur in any report from a committee respecting the proposed regulations within the following thirty sitting days;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 14 of the *Tobacco Act*, hereby makes the annexed *Tobacco (Access) Regulations*.

a S.C. 1997, c. 13

TOBACCO (ACCESS) REGULATIONS

INTERPRETATION

1. In these Regulations, "Act" means the *Tobacco Act*.

PROOF OF AGE

2. Only the following documentation may be used to verify the age of a person for the purposes of subsection 8(2) of the Act:

- (a) a driver's licence;
- (b) a passport;
- (c) a certificate of Canadian citizenship that contains the person's photograph;
- (d) a Canadian permanent resident document;
- (e) a Canadian Armed Forces identification card; or
- (f) any other documentation that
 - (i) is issued by a federal or provincial authority or a foreign government, and
 - (ii) contains the person's photograph, date of birth and signature.

SELF-SERVICE

3. The following persons are exempt from the application of section 11 of the Act:

- (a) a manufacturer or wholesaler who sells tobacco products to persons other than consumers at a location to which consumers do not have access; and
- (b) a retailer who sells tobacco products at a duty free shop as defined in subsection 2(1) of the *Customs Act*.

SIGNS PROHIBITING SALES TO MINORS POSTED AT RETAIL

4. (1) Subject to subsection (2), every sign to be posted by a retailer at a retail establishment pursuant to section 9 of the Act must

- (a) have a total surface area of not less than 600 cm² and minimum dimensions of 20 cm by 30 cm;
- (b) display the following message:

"It is prohibited by federal law to provide tobacco products to persons under 18 years of age. Il est interdit par la loi fédérale de fournir des produits du tabac aux personnes âgées de moins de 18 ans.";

(c) display the message set out in paragraph (b) in such a manner that the message is

(i) legible,

(ii) centred on the sign,

(iii) in black Helvetica Bold type on a white background,

(iv) in type of such size that the message occupies not less than 30 per cent and not more than 40 per cent of the total surface area of the sign,

(v) displayed using upper-case lettering for the first letter of the message in each official language and lower-case lettering for the remainder of the message, and

(vi) surrounded by a red border along the edges of the sign that has a thickness of not less than 1 cm and not more than 1.5 cm; and

(d) be posted

(i) in such a manner that the sign is conspicuous and not obstructed from view, and

(ii) at every location in the retail establishment where tobacco products are furnished.

(2) A retailer is exempt from the application of section 9 of the Act if the retailer carries on business in a province in which provincial legislation

(a) prohibits the sale of tobacco products to persons under a specified age that is eighteen years of age or greater; and

(b) requires the posting of notices to that effect in retail establishments that sell tobacco products.

REPEAL

5. The *Tobacco Sales to Young Persons Regulations*¹ are repealed.

¹ SOR/94-163

COMING INTO FORCE

6. These Regulations come into force on the day on which they are registered.