

[Tobacco \(Seizure and Restoration\) Regulations \(T-11.5 -- SOR/99-94 \)](#)

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Tobacco (Seizure and Restoration) Regulations

SOR/99-94

Registration 11 February, 1999

TOBACCO ACT

Tobacco (Seizure and Restoration) Regulations

P.C. 1999-198 11 February, 1999

Whereas, pursuant to section 42.1 of the *Tobacco Act*, the Minister of Health laid a copy of the proposed *Tobacco (Seizure and Restoration) 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 42 of the *Tobacco Act*, hereby makes the annexed *Tobacco (Seizure and Restoration) Regulations*.

a S.C. 1997, c. 13

TOBACCO (SEIZURE AND RESTORATION) REGULATIONS

INTERPRETATION

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

SEIZURE

2. When an inspector seizes a tobacco product or other thing pursuant to subsection 39(1) of the Act, the inspector shall provide its owner or the person in charge of the place from which it was seized with a copy of these Regulations and of section 40 of the Act.

APPLICATION FOR RESTORATION

Service of Notice

3. A notice referred to in subsection 40(1) of the Act shall be served by registered mail on the Minister at Ottawa or on the regional manager of the Health Protection Branch, Department of Health, in the region in which the seizure occurred at least 15 clear days before the day on which the application for an order of restoration is to be made to the provincial court judge.

Contents of Notice

4. A notice referred to in subsection 40(1) of the Act must specify

(a) the provincial court judge to whom the application for an order of restoration is to be made;

(b) the time when and the place where the application is to be heard;

(c) the tobacco product or other thing seized in respect of which the application is to be made; and

(d) the evidence on which the applicant intends to rely to establish that the applicant is entitled to possession of the product or other thing seized in respect of which the application is to be made.

COMING INTO FORCE

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