

The Tobacco and Vapour Products Control Regulations

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[Chapter T-14.1 Reg 1](#) (effective March 11, 2002) as amended by Saskatchewan Regulations [89/2010](#), [94/2010](#), [3/2020](#) and [41/2021](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER T-14.1 REG 1

The Tobacco and Vapour Products Control Act

Title

1 These regulations may be cited as *The Tobacco and Vapour Products Control Regulations*.

Definitions

2 In these regulations:

“**Act**” means *The Tobacco and Vapour Products Control Act*;

“**vapour product shop**” means premises where the predominant trade or business carried on by the retailer is the sale or distribution of vapour products, and where the sale or distribution of other products is incidental.

23 Apr 2021 SR 41/2021 s2.

Sale of flavoured vapour products

2.1(1) Subject to subsection (2), the prohibition set out in section 5.2 of the Act applies to all flavoured vapour products except those that are:

- (a) tobacco flavoured; or
- (b) mint or menthol flavoured.

(2) Subsection 5.2(1) of the Act does not apply to a vapour product shop if the retailer satisfies all of the following conditions:

- (a) no young persons, other than the proprietor and employees of the retailer, are admitted to the vapour product shop;
- (b) clearly visible signs are posted at all entrances to the vapour product shop, containing the words ‘No person under the age of 18 allowed’.

(3) A sign mentioned in clause (2)(b) must meet the following requirements:

- (a) the minimum size of the sign is 150 square centimetres;
- (b) the sign is white, except for its text, which is black;
- (c) the minimum height of a letter in the sign’s text is 20 millimetres;
- (d) the sign does not contain any words or phrases other than those set out in that clause.

23 Apr 2021 SR 41/2021 s2.

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3 For the purposes of section 6 of the Act, the phrase “**advertise or promote**” does not include the display of a magazine or other publication that contains tobacco or vapour products advertising if the magazine or other publication:

- (a) is displayed in such a way that the tobacco or vapour products advertisement is not visible to the public; and
- (b) meets any requirements set out in the *Tobacco and Vaping Products Act* (Canada) or any regulations made pursuant to that Act.

24 Jan 2020 SR 3/2020 s5.

Signs listing products and prices

3.1(1) For the purposes of subsection 6(6) of the Act, a sign that lists the tobacco, tobacco-related products or vapour products offered for sale and the prices of the tobacco, tobacco-related products and vapour products in a place or premises mentioned in subsection 6(1) of the Act must meet the following requirements:

- (a) the maximum size of the sign is 968 square centimetres;
- (b) the sign must be white, except for its text, which must be black;
- (c) the maximum height of a letter in the sign’s text is 13 millimetres;
- (d) the text size and style must be consistent in all parts of the sign, and the text must not contain italics, bold type or underlining;
- (e) the sign must not identify or reflect a brand name, logo or visual identity related to any tobacco, tobacco-related product or vapour product;
- (f) the text of a sign must not contain any words, phrases or figures other than those set out in the form of sign in Appendix A.

(2) In addition to the requirements of subsection (1), a person may only display a sign that lists the tobacco, tobacco-related products or vapour products offered for sale and the prices of the tobacco, tobacco-related products and vapour products in a place or premises mentioned in subsection 6(1) of the Act if all of the following conditions are met:

- (a) the text of the sign must not be visible from outside the place or premises;
- (b) the sign must be displayed behind a sales counter at which tobacco, tobacco-related products or vapour products are sold;
- (c) there must be no more than one sign displayed at each sales counter;
- (d) there must be no more than three signs displayed in the place or premises.

17 Sep 2010 SR 94/2010 s3; 24 Jan 2020 SR 3/2020 s6.

Signs re age restriction and health warning

3.2 For the purposes of subsection 7(3) of the Act, a retailer who sells or offers to sell tobacco, tobacco-related products or vapour products shall display a sign required to be posted pursuant to subsection 7(1) of the Act at each location where tobacco, tobacco-related products or vapour products are sold or supplied in a place where the sign is clearly visible to:

- (a) the person who sells or supplies the tobacco, tobacco-related product or vapour product; and
- (b) the person to whom the tobacco, tobacco-related product or vapour product is sold or supplied.

24 Jan 2020 SR 3/2020 s7.

Location of vending machines

4 For the purposes of paragraph 9(3)(b)(ii)(A) of the Act, where a vending machine that dispenses tobacco, tobacco-related products or vapour products is located in a place or on premises to which the public is permitted access, the vending machine must be located not less than five metres from the innermost entrance to the place or premises.

22 Feb 2002 cT-14.1 Reg 1 s4; 24 Jan 2020 SR 3/2020 s8.

Distance from a doorway, window or air intake

4.1 For the purpose of subclause 11(2)(b)(ii) of the Act, the prescribed distance from a doorway, window or air intake of an enclosed public place in which a person must not smoke, hold lighted tobacco or use or consume vapour products is three metres.

17 Sep 2010 SR 94/2010 s4; 24 Jan 2020 SR 3/2020 s9.

Separate enclosed ventilated place

5(1) In this section:

- (a) **“personal care home”** means a personal care home mentioned in paragraph 11(3)(a)(i)(B) of the Act;
- (b) **“separate enclosed ventilated place”** means a separate enclosed ventilated place, mentioned in clause 11(3)(a) of the Act, within a special-care home or a personal care home;
- (c) **“special-care home”** means a special-care home mentioned in paragraph 11(3)(a)(i)(A) of the Act.

(2) For the purposes of clause 11(3)(a) of the Act, a separate enclosed ventilated place in a special-care home or personal care home:

- (a) must be set aside exclusively as a smoking room or room in which vapour products may be used or consumed;
- (b) subject to subsection (3), must not be used for smoking or using or consuming vapour products by any person other than a resident or a person visiting a resident;

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- (c) must have a door that:
 - (i) is capable of sealing to prevent smoke or vapour from escaping into other parts of the special-care home or personal care home;
 - (ii) is equipped with a device that causes the door to close automatically; and
 - (iii) is kept closed at all times except when opened to permit entry or exit from the room; and
 - (d) must have a ventilation system that:
 - (i) prevents recirculation of air from the separate enclosed ventilated place to any other part of the special-care home or personal care home;
 - (ii) provides a continuous supply of fresh air into the separate enclosed ventilated place;
 - (iii) is capable of replacing the air volume in the separate enclosed ventilated place at least 12 times per hour; and
 - (iv) exhausts the air from the separate enclosed ventilated place directly to the exterior of the special-care home or personal care home.
- (3) If a separate enclosed ventilated place is located in a personal care home in which the licensee of the home resides, the licensee and persons who reside with the licensee in the home may also use the separate enclosed ventilated place.
- (4) For the purposes of subsection 14(1) of the Act, the use of safety ashtrays is permitted in a separate enclosed ventilated place of a personal care home or special-care home.

13 Aug 2010 SR 89/2010 s3; 24 Jan 2020 SR 3/2020 s10.

Signs re prohibition against smoking, holding lighted tobacco, using or consuming vapour products

- 6(1)** For the purposes of subsection 13(1) of the Act, “**statement respecting the prohibition against smoking or holding lighted tobacco or using or consuming vapour products**” includes a depiction of the symbol as set out in Appendix B.
- (2) A sign that is required to be posted pursuant to subsection 13(1) of the Act:
- (a) must be at least 15 centimetres high and 20 centimetres wide; and
 - (b) **Repealed.** 24 Jan 2020 SR 3/2020 s11.
 - (c) subject to subsection (3), must be posted:
 - (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 premises.

(3) A sign that is required to be posted pursuant to subsection 13(1) of the Act in a vehicle mentioned in subclause 2(b)(iii) of the Act must be posted in a place that is easily visible to passengers.

13 Aug 2010 SR 89/2010 s4; 17 Sep 2010 SR 94/2010 s5; 24 Jan 2020 SR 3/2020 s11.

Signs re prohibition against smoking, using or consuming tobacco, holding lighted tobacco or using or consuming vapour products

6.1(1) A proprietor of a school or independent school that is required to post signs in accordance with subsection 13(2) of the Act shall post the signs:

- (a) at the main entrance to the school grounds or independent school grounds;
- (b) at a secondary entrance to the school grounds or independent school grounds; and
- (c) on a door at each entrance to the school building or independent school building.

(2) A sign mentioned in clause (1)(a) or (b):

- (a) must be at least 22.5 centimetres wide and 30 centimetres high; and
- (b) must contain the words "*Our school and grounds are tobacco and vapour products free at all times*".

(3) A sign mentioned in clause (1)(c):

- (a) must be at least 15 centimetres wide and 20 centimetres high; and
- (b) must contain the words "*Our school and grounds are tobacco and vapour products free at all times*".

13 Aug 2010 SR 89/2010 s4; 24 Jan 2020 SR 3/2020 s12.

Posting sign required by prohibition order

7(1) When a retailer or any successor to the retailer is required to post clearly visible signs in accordance with clause 23(1)(b) of the Act, the signs:

- (a) must be supplied by the ministry;

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- (b) must be posted from the time of commencement of operations on the day after the date of conviction and must be maintained in place until the end of the period specified in the order; and
 - (c) must 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.
- (2) A sign mentioned in subsection (1):
- (a) must contain the following message:
“Notice – Tobacco, tobacco-related products and vapour products cannot be sold at this location. We were convicted of selling to someone under 18”; and
 - (b) must include the following information:
 - (i) the name and address of the retailer to which the prohibition order applies; and
 - (ii) the length of the prohibition order.

22 Feb 2002 cT-14.1 Reg 1 s7; 24 Jan 2020 SR
3/2020 s13.

Coming into force

- 8(1) Subject to subsection (2), these regulations come into force on the day on which *The Tobacco Control Act* comes into force.
- (2) If these regulations are filed with the Registrar of Regulations after the coming into force of *The Tobacco Control Act*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

22 Feb 2002 cT-14.1 Reg 1 s8.

Appendix A
[Clause 3.1(1)(f)]

Form of sign

Tobacco pricing				
Cigarettes		20s	25s	carton
	full price	*\$(x)	\$(x)	\$(x)
	mid price	\$(x)	\$(x)	\$(x)
	budget price	\$(x)	\$(x)	\$(x)
Smokeless tobacco		\$(x) to \$(x)		
Cigars		\$(x) to \$(x)		
Loose tobacco	pouch	\$(x) to \$(x)		
	tub	\$(x) to \$(x)		
Vapour product pricing				
Vapour product device		\$(x) to \$(x)		
Vapour product liquid		\$(x) to \$(x)		
Vapour product accessories		\$(x) to \$(x)		

* insert price wherever “\$(x)” occurs”.

Appendix B
[Subsection 6(1)]
No Smoking, No Vaping Symbol



24 Jan 2020 SR 3/2020 s15.