



# **BILL NO. 90**

*Government Bill*

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*2nd Session, 62nd General Assembly  
Nova Scotia  
64 Elizabeth II, 2015*

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## **An Act to Amend Chapter 14 of the Acts of 1993, the Tobacco Access Act**

CHAPTER 26  
ACTS OF 2015

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 11, 2015**

The Honourable Leo A. Glavine  
*Minister of Health and Wellness*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 14  
of the Acts of 1993,  
the Tobacco Access Act**

Be it enacted by the Governor and Assembly as follows:

**1 Section 3 of Chapter 14 of the Acts of 1993, the *Tobacco Access Act*, as amended by Chapter 12 of the Acts of 1999 and Chapter 58 of the Acts of 2014, is further amended by adding immediately after clause (b) the following clause:**

(ba) “flavoured tobacco” means tobacco that

(i) has a characterizing scent or flavour, other than tobacco, that is noticeable before or during use, or both,

(ii) by its packaging, labelling, advertising or otherwise, is represented as being flavoured, or

(iii) is designated under the regulations as being flavoured,

but does not include tobacco exempted by the regulations;

**2 Section 7 of Chapter 14, as enacted by Chapter 12 of the Acts of 1999, is amended by**

(a) striking out “or” at the end of clause (a);

(b) striking out the period at the end of clause (b) and substituting a semicolon; and

(c) adding immediately after clause (b) the following clauses:

(c) flavoured tobacco; or

(d) flavoured cigarette papers.

**3 Section 12 of Chapter 14, as amended by Chapter 12 of the Acts of 1999 and Chapter 58 of the Acts of 2014, is further amended by adding immediately after subsection (3) the following subsection:**

(4) In a prosecution for a contravention of clause (c) or (d) of Section 7, an indication on a container or package that the contents of the container or package are flavoured tobacco or flavoured cigarette papers is proof, in the absence of evidence to the contrary, that the contents are flavoured tobacco or flavoured cigarette papers, as the case may be.

**4 Subsection 13(1) of Chapter 12, as amended by Chapter 47 of the Acts of 2006, is further amended by**

(a) relettering clause (aa) as clause (ac); and

(b) adding immediately after clause (a) the following clauses:

(aa) designating tobacco as flavoured tobacco;

(ab) exempting certain types and flavours of tobacco from the definition of “flavoured tobacco”;

5 This Act has effect on and after May 31, 2015.

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