

**DATE:** May 14, 2019

**TO:** Board of Trustees

**FROM:** Michelle Draper, Board Chair

**SUBJECT:** Motion re: Statement of Support - *Tobacco Reduction Amendment Act (2013)*

**REFERENCE:** [EM.BP: Alcohol, Tobacco and Cannabis on and in District Property and at District Functions](#)  
[IGD.AR: Alcohol, Tobacco and Cannabis on and in District Property and at District Functions](#)

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## ISSUE

The Board of Trustees has received a request from Action on Smoking & Health (ASH.ca) to sign a Statement of Support for proclaiming the outstanding sections of the *Tobacco Reduction Amendment Act (2013)*.

## BACKGROUND

Critical sections of the *Tobacco Reduction Amendment Act (2013)* are at risk of being permanently revoked under the mandatory requirements of the *Statutes Repeal Act*. The *Statutes Repeal Act* stipulates that any legislation (or sections thereof) not proclaimed into force within five years must be repealed unless the sections are enacted by the sixth anniversary of the passage of the legislation (i.e., by the end of 2019).

The sections of this legislation that deal with the following topics are now eligible for repeal in 2019 unless they are proclaimed into force beforehand:

- A ban on flavoured waterpipe tobacco (shisha tobacco)
- A ban on waterpipe use in indoor establishments
- A ban on e-cigarettes and vaping in public establishments

The tobacco legislation is intended to help individuals remain tobacco-free for life.

## RELATED FACTS

- Edmonton Public Schools is committed to fostering the growth and well-being of every student. Enacting the outstanding sections of the *Tobacco Reduction Amendment Act (2013)* would support the efforts we make to keep students healthy.
- A ban on e-cigarettes and vaping in public establishments would align with the work of our Student Senate to dissuade students from vaping.

## RECOMMENDATION

**That the Edmonton Public Schools Board of Trustees signs the Statement of Support for proclaiming the outstanding sections of the *Tobacco Reduction Amendment Act (2013)*.**

## NEXT STEPS

If approved, the Board Chair would sign the Statement of Support on behalf of the Board of Trustees. The statement will then be delivered to the Premier of Alberta by Action on Smoking & Health.

## ATTACHMENTS and APPENDICES

ATTACHMENT I Statement of Support

MD:km

# STATEMENT OF SUPPORT TO STOP THE REPEAL OF IMPORTANT LEGISLATION TO PROTECT THOUSANDS OF ALBERTA YOUTH FROM THE HAZARDS OF TOBACCO, SMOKING AND VAPING

## DEAR PREMIER:

Five years have passed since the Legislative Assembly approved life-saving tobacco legislation—the *Tobacco Reduction Amendment Act* (2013). This legislation received all-party support in the Assembly including backing from your Caucus members.

As you know, several important sections of this bill remain unproclaimed and are now at risk of being permanently revoked under the requirements of the *Statutes Repeal Act*. The Repeal Act stipulates that any legislation (or sections thereof) not proclaimed into force within five years must be repealed unless the sections are proclaimed into force within one year of the five-year deadline.

The following sections of the tobacco legislation are now on the **chopping block** and will be permanently repealed in 2019 unless they are proclaimed into force beforehand:

- A ban on flavoured waterpipe tobacco (shisha tobacco), which has become increasingly popular among Alberta youth. Almost 5,000 Alberta youth reported smoking shisha tobacco in 2017.
- A ban on waterpipe use in indoor establishments. No one should be forced to breathe secondhand smoke in public establishments. Many of these establishments allow minors to enter.
- A ban on e-cigarettes and vaping in public establishments. Vaping among Alberta high school students almost tripled in Alberta between 2015 and 2017 and has become epidemic in scope. There are now over 35,000 youth vapers in Alberta. Kids must be protected from all forms of nicotine addiction.

Your Cabinet can rescue these outstanding sections in just *one meeting* by simply proclaiming them into force. If your government is truly committed to protecting Alberta youth from the deadly consequences of tobacco use, then you must rescue this important legislation from the chopping block. The health of Alberta youth should not be subject to political stalling and shenanigans.

## SIGNED:

\_\_\_\_\_  
Signature

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Print name

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Organization

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Title

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Phone number

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Email address

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Date

Several more sections of the tobacco law have been proclaimed but remain unimplemented including:

- Mandatory training for all tobacco retailers.
- Mandatory carding of any tobacco purchaser who appears to be under 25.
- Prohibiting minors from selling tobacco. Minors as young as 13 can legally sell tobacco due to an unjustified exemption. Only properly trained adults should be allowed to sell harmful drugs.

Ironically, parallel requirements presently apply to *every* alcohol and cannabis retailer in Alberta. Retailers who sell the deadliest drug on the planet are not subject to the same rules as those who sell cannabis and alcohol. This deadly double standard cannot be justified.

Tobacco kills 3,800 Albertans annually and there are 27,000 school-aged youth tobacco users in Alberta. The tobacco legislation is intended to provide children and youth with effective protection from the ravages of tobacco use and to help them remain tobacco-free for life.

As you know, the tobacco lobby has mounted a *full-court press* of 12 registered lobbyists who are now working the political backrooms, trying to derail important tobacco policy measures including those referenced above. Tobacco companies and their lobbyists cannot be allowed to dictate public health in Alberta.

We urge you and your Cabinet to move swiftly to protect Alberta youth by rescuing the tobacco legislation from the chopping block and by fully implementing this critical life-saving law.

Alberta youth deserve first-class protection from the ravages of tobacco use and addiction. Protection delayed is protection denied. Further delays cannot be justified.



**PLEASE SCAN THE COMPLETED DOCUMENT AND EMAIL TO  
[INFO@SMOKEFREEALBERTA.COM](mailto:INFO@SMOKEFREEALBERTA.COM) AND IT WILL BE DELIVERED TO THE PREMIER.**