

**Government of the Northwest Territories Response to Committee
Report 23-18(3): Report on the Review of Bill 40: *Smoking Control and
Reduction Act* and
Bill 41: *Tobacco and Vapour Products Control Act***

Background

The Standing Committee on Social Development presented their Committee Report “Report on the Review of Bill 40: *Smoking Control and Reduction Act* and Bill 41: *Tobacco and Vapour Products Control Act* on August 12, 2019. This report contains five recommendations.

On August 12, 2019, CR 23-18(3) was considered in Committee of the Whole. The five recommendations were carried and the GNWT response to these recommendations is set out below.

Recommendation 1:

The Standing Committee on Social Development recommends that the Department of Health and Social Services explore whether the “no smoking” areas around buildings to be prescribed in new regulations should be expanded.

GNWT Response

The Department of Health and Social Services does not intend to introduce “no smoking” areas around buildings. The Workers’ Safety and Compensation Commission is responsible for the regulation of smoking at worksites, which includes “no smoking” areas around these worksites. The *Occupational Health and Safety Regulations* under the *Safety Act* and the *Mine Health and Safety Regulations* under the *Mine Health and Safety Act* prohibit smoking of tobacco within a 3 m radius from the entrance or exit from an enclosed worksite. The Department of Health and Social Services will work with the Workers’ Safety and Compensation Commission as necessary should expansion of no smoking areas around buildings be considered in the future.

Recommendation 2:

The Standing Committee on Social Development recommends that the Department of Health and Social Services and the Department of Finance explore the merits of raising the minimum age for the purchase, sale and supply of liquor, tobacco, cannabis, vaping products and accessories from 19 to 21.

GNWT Response

The GNWT recognizes there are arguments for raising the minimum age for purchase, sale and supply of liquor, tobacco, cannabis, vaping products and accessories. The legal age of purchase of liquor, tobacco, cannabis and vaping products is currently either 18 years or 19 years of age across Canadian jurisdictions. The GNWT explored options for a change to the minimum age related to cannabis and tobacco during the development of Bill 6: Cannabis Legalization and Regulation Implementation Act and Bill 41: Tobacco and Vapour Products Control Act. Feedback received during public consultation supported raising the minimum age to 19. Further, it is important to note that under the NWT *Age of Majority Act*, every person attains the age of majority, and ceases to be a minor, on attaining the age of 19 years.

The GNWT will continue to monitor research and cross-jurisdictional trends to inform any future consideration of a change to the minimum age in the NWT for the purchase, sale and supply of liquor, tobacco, cannabis, vaping products and accessories.

Recommendation 3:

The Standing Committee on Social Development recommends that the Department of Health and Social Services ensure the territory's drug plan reflects the importance of smoking cessation aids, including that the plan provides smokers with access to these tools on a timely, as-needed basis.

GNWT Response

Smoking cessation aids are available to all NWT residents. In August 2011 the Minister of Health and Social Services announced that Nicotine Replacement Therapies (NRTs) will be available to all NWT smokers and smoking cessation prescription drugs will be covered under NWT health care benefits.

The quit smoking options available to smokers include NRTs and prescription medications. The GNWT covers the cost for approximately three months' supply per year of these products to residents. Smokers can also get one-on-one support from their doctors and nurses to quit smoking.

Recommendation 4:

The Standing Committee on Social Development recommends that the Department of Health and Social Services renew its efforts towards public education and awareness to discourage smoking, vaping and other tobacco use among residents, especially youth and in communities where usage is highest, and to ensure they have the information they need to make informed decisions.

GNWT Response

There are several new and developing initiatives currently underway related to public education and awareness to discourage use of tobacco and vaping among residents:

- The Department of Health and Social Services is working with the Department of Education, Culture and Employment to renew the school health curriculum to ensure current and relevant resources are available for tobacco use prevention and cessation.
- A resource on e-cigarette use has been developed for high schools to address the increasing prevalence of vaping among teens.
- The following tobacco cessation resources are accessible to residents:
 - The toll-free NWT Quitline 1-866-286-5099;
 - Coverage for smoking cessation aids for those without health benefits;
 - Tobacco resources distributed throughout the NWT to assist communities with tobacco prevention work including Tobacco Cessation Quit Kits, NWT Tobacco Quit guides and Quit Calendar posters; and,
 - Funding to on-the-land tobacco free living programs for youth.
- Upcoming initiatives include:
 - Substance, a youth magazine that will include information on the dangers of vaping;
 - The Dope Experience provides an opportunity to engage with youth for tobacco and vaping related education;
 - A polysubstance public awareness campaign will address vaping using a wide variety of communication mediums: radio, newspaper, social media and posters in clinics.

In addition, the implementation of Bill 40 and 41 will require retailers of tobacco products, vapour products, and cannabis to post signs communicating the important health risks from using these products with the goal of empowering the public to make informed decisions.

Recommendation 5:

Rule 100(5) of the Rules of the Legislative Assembly of the Northwest Territories requires Cabinet, in response to a motion by Committee, to table a comprehensive response that addresses the Committee report and any related motions adopted by the House. As required by this rule, Committee usually includes a recommendation in each report, which is moved as a motion in the House, requesting a response from government within 120 days.

Given that the 18th Legislative Assembly will dissolve prior to the conclusion of the 120 day time period allowed by the rules, Committee has opted to forego this recommendation. Committee nonetheless requests, to the extent it is possible before the dissolution of the 18th Assembly and for the public record, that government provide a response to this recommendation, even of a preliminary nature, that Committee may publicly disclose.

GNWT Response

This document, Response to Committee's Report, is duly submitted within the requested timeline.