

QUESTION 22-19(1):
VAPING REGULATIONS
December 11th 2019

MR. O'REILLY: Merci, Monsieur le President. The last Assembly passed Bill 41, Tobacco and Vapour Products Control Act. This bill will prohibit the sale of flavoured vaping products that have been in the news as of late. As I understand, the act has not yet been brought into force. My questions are for the Minister of Health and Social Services. Can the Minister explain what steps are being taken to bring this legislation into force to protect the youth of the Northwest Territories? Mahsi, Mr. Speaker.

MR. SPEAKER: Thank you, Member. Minister of Health and Social Services.

HON. DIANE THOM: Thank you, Mr. Speaker. Bill 40, Smoking Control and Reduction Act, was passed August 2019, and its regulations include prohibiting smoking and vaping in public places, including those areas where children and youth ordinarily gather; prohibiting smoking and vaping in motor vehicles if someone under the age of 19 is in the vehicle; and requires retail outlets that sell these products to conspicuously post health warnings inside the stores.

Bill 41, Tobacco and Vapour Products Control Act, was also passed in August 2019 and its regulations include banning the promotion, advertising, and display of tobacco and vaping products wherever children and youth have access and increasing the legal age at which tobacco and vaping products may be purchased from age 18 to 19. Regulations are being drafted to bring these acts into force March 31, 2020. The regulations are almost done; however, time is needed to communicate the new requirements to retailers to the public. Regulations address in greater detail public places where smoking and vaping are prohibited, what products cannot be displayed, and health warning signs that must be posted. The regulation also addresses penalties, though we want to focus our efforts on educating and supporting NWT residents in making healthy and informed decisions about using these substances. Thank you, Mr. Speaker.

MR. O'REILLY: I want to thank the Minister for that comprehensive response, and I also want to acknowledge the work of the Standing committee on Social Development that had the forethought to anticipate this issue with vaping products, because there is a lot of news coverage on this now. I take it from the Minister's response, then, that the Tobacco and Vapour Products Control Act is going to take full legal effect on March 31, 2020. Can she confirm that again for me?

HON. DIANE THOM: The act will be brought into force March 21, 2019. The regulations being developed to bring the acts into force do not go so far as completely banning flavoured vaping products in the Northwest Territories at this time. We are actively working to identify the right approach to banning flavoured vaping products. Our public health officials are talking with the Council of Chief Medical Officers of Health to support a federal ban on flavoured vaping products. Chief Medical Officers of Health across Canada are now calling on the federal government to ban flavoured vaping products

outright. Before moving forward, the Northwest Territories regulations banning all sales on flavoured vaping products would want to engage with the public. We also want to carry out more research to make sure we have everything properly addressed.

MR. O'REILLY: I want to thank the Minister for that response. Sorry, I'm going to have to go a little bit off-script here, because I think I heard the Minister say that the Tobacco and Vapour Products Control Act is not going to prohibit flavoured vaping products from being sold. Section 6.1(1) says that: "No person shall sell a flavoured tobacco product at retail." In any event, does this section actually prohibit the sale of flavoured vaping products, or not? Is that what this act and this section are going to do?

HON. DIANE THOM: I ask that I just clarify and get back to the Member at this time.

MR. SPEAKER: Thank you, Minister. Member for Frame Lake, final supplementary.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for that. It was certainly my understanding, having sat in on the committee meetings, that that was the intention of the committee, and I thought that's what the bill was going to do. In any event, recent media reports about the use of vaping products in southern Canada and the US describe an epidemic in use by youth, and that manufacturers and retailers have specifically designed advertising to entice youth. I've had this raised to me by teachers at schools in my riding. Can the Minister tell us whether her department has taken any steps to control or persuade NWT youth not to consume these products? Mahsi, Mr. Speaker.

HON. DIANE THOM: In addition to steps to control so that other youth do not consume these products, we are focusing on providing the public with information on vaping. In October 2019, the department created a Frequently Asked Questions for parents. The Department of Education, Culture and Employment distributed this to schools across the Northwest Territories. This work began with the request from a school principal and is an example of how working together with our partners can be valuable in addressing an issue, just like when some of the other Regular MLAs in the Assembly worked with the last Assembly on the bills themselves. The Office of the Chief Public Officer is preparing communications and social marketing material.

In March 2019, the department and the Northwest Territories Association of Communities delivered a workshop for healthcare providers, artists, community leaders, educators, and youth. From this came the creation of The Dope Experience. This workshop series will be delivered in communities across the Northwest Territories during the 2019-2020 school year and will address vaping as well as cannabis and other substance abuse. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Minister. The time for the question period has expired. Oral questions. Item 8, written questions. Member for Yellowknife Centre.