

Prince Edward Island

Name of legislation	<ul style="list-style-type: none"> • <i>Smoke-free Places Act</i> (see notes)
Date in force	<ul style="list-style-type: none"> • June 1, 2003
Workplaces	<ul style="list-style-type: none"> • Smoking permitted in designated smoking rooms (DSRs) (must be fully enclosed, separately ventilated and cannot exceed 25% of the total floor area) or in outdoor designated smoking areas (DSAs) (indoor non-smoking area must be a structurally separate from the outdoor location) of some workplaces and in long-term care facilities • Smoking permitted in indoor DSAs by in-patients or residents of hospitals for the mentally ill and in those portions of a hospital that provide long-term care facilities (DSAs need to be separately ventilated but not necessarily separately enclosed) • Smoking permitted by registered guests and their invited guests in designated smoking hotel rooms
Restaurants	<ul style="list-style-type: none"> • Smoking permitted in DSRs but no service in DSRs
Casinos, bingos, etc.	<ul style="list-style-type: none"> • Smoking prohibited
Bars	<ul style="list-style-type: none"> • Smoking permitted in DSRs but no service in DSRs
Public places	<ul style="list-style-type: none"> • Smoking prohibited in some public places (such as schools, daycare centres, hospitals, etc.) yet DSRs permitted in the “non-public” sections of many other public places
Outdoor provisions	<ul style="list-style-type: none"> • Smoking prohibited within 2.4 metres of entrances and exits on existing patios, and within 4.5 metres of air intakes on new patios • For designated outdoor smoking areas that are not patios, smoking prohibited within 4.5 metres of entrances, exits and air intakes • Smoking prohibited on school property
Provision for municipalities	<ul style="list-style-type: none"> • Section 3 of the <i>Smoke-free Places Act</i> stipulates that where a provision of an act, regulation or bylaw conflicts with this Act, the more stringent restriction will prevail
Summary	<ul style="list-style-type: none"> • Legislation weak and not up to current standards for indoor protection from SHS—smoking permitted in DSRs in many workplaces and public places • Legislation middle of the road for outdoor protection—could be strengthened by uniformly prohibiting smoking on patios, as well as having a consistent prescribed distance from all entrances, exits, windows and air intakes

Notes

On April 24 2009, provincial Health Minister Doug Currie tabled Bill 76, *An Act to Amend the Smoke-Free Places Act*. When passed, this legislation will bring Prince Edward Island up to par with other jurisdictions in Canada regarding protection from SHS. The Act will:

- Prohibit smoking in private vehicles with children under the age of 19 present. Most other Canadian jurisdictions with similar legislation protect children 16 years and under, so PEI would lead the pack in this respect. See the NSRA [fact sheet on smoke-free cars](#) for more information.
- Prohibit smoking on hospital grounds, which is a national precedent. PEI currently permits designated smoking rooms in hospitals, so this proposed law represents a significant leap forward. However, the NSRA hopes that in conjunction with this law adequate cessation resources at hospitals are put in place for patients and staff. See our [hospitals fact sheet](#) for more information.
- Prohibit smoking in virtually all enclosed public places and workplaces.
- Prohibit smoking on patios, except between 10 pm and 3 am. This partial prohibition represents a step forward but falls short of current SHS standards. A partial prohibition based on the time of day is open to abuse, potentially confusing for people, and does not adequately protect wait staff from SHS—unless there is no table service on PEI after 10 pm.