

BILL C-X

An Act to Establish a Tobacco Phase-out Plan

Her Majesty, by and with the advice and consent of the Senate and House of Commons enacts as follows:

SHORT TITLE

1. This Act may be cited as the Tobacco Supply and Demand Reduction Act.

DEFINITIONS

2. The following definitions in this section apply to this act.

number of tobacco users, means the highest estimate produced by Statistics Canada of the number of Canadians who use tobacco products on a daily or occasional basis.

tobacco means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act* applies.

HER MAJESTY

Act binding on Her Majesty

3. This Act is binding on Her Majesty in right of Canada.

PURPOSE

Purpose

4. The purpose of this Act is to protect public health and, in particular, to provide accountability with respect to tobacco use in the discharge of the duty and functions of the federal Minister of Health to promote and preserve the physical, mental and social well-being of the people of Canada.

PLAN FOR REDUCING TOBACCO SALES

5. Within 180 days of the coming into force of this Act, the government will lay before Parliament a plan to ensure that the number of tobacco users is no greater than that identified in the Schedule.
6. Subject to Section 8, the Governor in Council may amend the Schedule from time to time by:
 - a. replacing any entry for a future year in Column 2 of the Schedule by a number that is not larger than any number for a previous year.
 - b. adding one or more rows at the end of the Schedule so that it applies to additional and subsequent consecutive years.

REPORT TO PARLIAMENT BY THE GOVERNMENT

Annual reports

7. Within 550 days of the coming into force of this Act, and at twelve-month intervals thereafter, the government will lay before Parliament a report on progress in achievement of the objectives stated in Section 4. Such a report is deemed to automatically referred to the appropriate Committee of the House, as determined by the rules of the House, and the committee may conduct public hearings with respect to the report and report its findings to the House of Commons.

AMENDMENTS TO THE SCHEDULE

Laying of proposed regulations

8. (1) The Governor in Council may not amend the Schedule unless the Minister has first laid the proposed amendment before the House of Commons.

Report by committee

- (2) A proposed amendment to the Schedule that is laid before the House of Commons is deemed to be automatically referred to the appropriate committee of the House, as determined by the rules of the House, and the committee may conduct inquiries or public hearings with respect to the proposed regulation and report its findings to the House.

Making of regulations

- (3) The Governor in Council may amend the Schedule only if
 - a. the House of Commons has not concurred in any report from a committee respecting the proposed amendment within the thirty sitting days following the day on which the proposed amendment regulation was laid before the House, in which case the amendment may only be made in the form laid; or
 - b. the House of Commons has concurred in a report from a committee approving the proposed amendment or an amended version of it, in which case the Governor in Council may only make the amendment in the form concurred in.

Definition of “sitting day”

- (4) For the purpose of this section, “sitting day” means a day on which the House of Commons sits.

COMING INTO FORCE

9. This Act shall come into force on a date fixed by proclamation that is not more than sixty days following the date of Royal Assent to this Act.

EXPLANATORY NOTE

In keeping with Canada's health-oriented tobacco control policy, and the Minister's stated goal of achieving less than 5% tobacco use prevalence by 2035, this Act will oblige the Government to devise and implement a plan to gradually reduce both supply and demand for tobacco products, so that the number of current smokers falls from approximately 5.2 million in 2016 to approximately 900,000 by 2035 or earlier. Every year, Parliament will have an opportunity to review government progress in implementation of the plan. The Governor in Council may modify the plan from time to time. Parliament will have the opportunity to review and further modify these modifications to the plan. This Act is consistent with the objective of the Framework Convention on Tobacco Control (FCTC), an international treaty that is currently in force and which Canada ratified in November 2004. The objective of the FCTC is given in Article 3 of the Convention:

Article 3: Objective

The objective of this Convention and its protocols is to protect present and future generations from the devastating health, social, environmental and economic consequences of tobacco consumption and exposure to tobacco smoke by providing a framework for tobacco control measures to be implemented by the Parties at the national, regional and international levels in order to reduce continually and substantially the prevalence of tobacco use and exposure to tobacco smoke.

Schedule

Column 1	Column 2
Year	Total targeted number of tobacco users
2018	5,200,000
2019	4,900,000
2020	4,500,000
2021	4,100,000
2022	3,700,000
2023	3,300,000
2024	3,100,000
2025	2,900,000
2026	2,700,000
2027	2,500,000
2028	2,300,000
2029	2,100,000
2030	1,900,000
2031	1,700,000
2032	1,500,000
2033	1,300,000
2034	1,100,000
2035	900,000