



## **OWNERSHIP OF FINES.**

R.S.Q., chapter T-0.01

# **TOBACCO ACT**

## **CHAPTER I**

### **SCOPE.**

1. This Act applies to harvested tobacco in any processed or unprocessed form, however presented. The term "tobacco" includes any product containing tobacco and any other product or class of product considered to be tobacco under a government regulation.

### **EFFECT.**

This Act is binding on the State.  
1998, c. 33, s. 1; 2005, c. 29, s. 1.

1.1. For the purposes of this Act, unless the context indicates otherwise, "tobacco" also includes the following accessories: cigarette tubes, rolling paper and filters, pipes and cigarette holders.  
2005, c. 29, s. 2.

## **CHAPTER II**

### **RESTRICTION ON THE USE OF TOBACCO IN CERTAIN PLACES**

#### **SMOKING PROHIBITED.**

2. Subject to sections 7, smoking is prohibited in the following enclosed spaces:

7) the common areas of residential buildings comprising six or more dwellings, whether or not the buildings are held in co-ownership;

40. The fine and costs imposed by the municipal court for an offence under this Act shall belong to the local municipality and shall be paid into its general fund, except the part of the costs remitted by the collector to any other prosecuting party that has incurred expenses in relation to the proceeding, and the costs remitted to the defendant pursuant to article 223 of the Code of Penal Procedure ( chapter C-25.1).  
1998, c. 33, s. 40.

#### **OFFENCES UNDER REGULATION.**

41. The Government or the Minister, as the case may be, shall determine the provisions of a regulation made under this Act the violation of which constitutes an offence.  
1998, c. 33, s. 41; 2005, c. 29, s. 38.

#### **PENALTY.**

42. A person who smokes in a place where smoking is prohibited under Chapter II or the fourth paragraph of section 59 is liable to a fine of \$50 to \$300 and, for a subsequent offence, to a fine of \$100 to \$600. 1998, c. 33, s. 42; 2005, c. 29, s. 39.

#### **PROHIBITION.**

No person may remove or deface such a notice.  
1998, c. 33, s. 10

#### **ENFORCEMENT.**

11. The operator of a place or business to which this chapter applies shall not tolerate smoking in an area where smoking is prohibited.

#### **PENALTY.**

45. A person who removes or defaces a notice in contravention of the second paragraph of section 10 or section 20.6 is liable to a fine of \$100 to \$1,000 and, for a subsequent offence, to a fine of \$200 to \$3,000.  
1998, c. 33, s. 45; 2005, c. 29, s. 43.