



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **TOBACCO AND ELECTRONIC SMOKING DEVICE SALES AND ACCESS ACT REGULATIONS**

## PLEASE NOTE

This document, prepared by the ***Legislative Counsel Office***, is an office consolidation of this regulation, current to February 1, 2025. It is intended for information and reference purposes only.

This document is ***not*** the official version of these regulations. The regulations and the amendments printed in the ***Royal Gazette*** should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the ***Table of Regulations*** on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

If you find any errors or omissions in this consolidation, please contact:

*Legislative Counsel Office*  
*Tel: (902) 368-4292*  
*Email: [legislation@gov.pe.ca](mailto:legislation@gov.pe.ca)*



## TOBACCO AND ELECTRONIC SMOKING DEVICE SALES AND ACCESS ACT

### Chapter T-3.1

## REGULATIONS

Pursuant to section 9 of the *Tobacco and Electronic Smoking Device Sales and Access Act* R.S.P.E.I. 1988, Cap. T-3.1, the Lieutenant Governor in Council made the following regulations:

### INTERPRETATION

#### 1. **Act”, defined**

In these regulations, “**Act**” means the *Tobacco and Electronic Smoking Device Sales and Access Act* R.S.P.E.I. 1988, Cap. T-3.1. (EC538/15; 119/20)

#### 1.1 **Prescribed flavouring agent**

- (1) For the purposes of section 3.1 of the Act, any agent added to tobacco or an electronic smoking device to produce an aroma or taste other than the aroma or taste of tobacco is a prescribed flavouring agent, including an agent added to tobacco or an electronic smoking device to produce the aroma or taste of any of the following:
- (a) a dessert;
  - (b) a soft drink;
  - (c) a spice;
  - (d) an alcoholic beverage;
  - (e) an energy drink;
  - (f) an herb;
  - (g) candy;
  - (h) cannabis;
  - (i) chocolate;
  - (j) fruit;
  - (k) menthol or any other cooling agent;
  - (l) vanilla.

**Permitted nicotine concentration**

- (2) For the purposes of section 3.1 of the Act, the maximum permitted nicotine concentration of an electronic smoking device is 20 mg/mL. (EC612/16; 489/20; 53/25)

**2. Primary business**

- (1) For the purposes of clause 1(c.1) of the Act, the primary business conducted in a place or premises is the retail sale of tobacco, electronic smoking devices or a combination of both if at least 50 per cent of the product display space within the place or premises is devoted to the sale of tobacco, electronic smoking devices or a combination of both.

**Product display space**

- (2) In subsection (1), product display space includes floor space, shelf space, wall display space and space on displays suspended from the ceiling. (EC538/15; 119/20)

## FORMS OF IDENTIFICATION

**3. Identification**

For the purpose of subsection 4(4) of the Act, the following forms of identification are prescribed:

- (a) a driver's license issued by a government authority;
- (b) a passport issued by the proper authority in the passport holder's country of residence;
- (c) any other form of identification issued by a government authority that contains the holder's photograph and date of birth. (EC538/15)

## PERMITTED SIGNS

**4. Signs permitted**

- (1) For the purpose of clause 5.2(3)(a) of the Act, a sign displaying the types of tobacco offered for sale and their prices may be affixed to the counter or wall at each cash register in a place or premises in which tobacco is sold or offered for sale at retail, if the sign meets the requirements and restrictions in subsection (3).

**Idem**

- (2) For the purpose of clause 5.3(2)(a) of the Act, a sign displaying the types of electronic smoking devices offered for sale and their prices may be affixed to the counter or wall at each cash register in a place or premises in which electronic smoking devices are sold or offered for sale at retail, if the sign meets the requirements and restrictions in subsection (3).

**Sign requirements**

- (3) A sign referred to in subsection (1) or (2) shall meet the following requirements and restrictions:
- (a) the sign shall not exceed 968 square centimetres (150 square inches) in size;
  - (b) the background of the sign shall be white;
  - (c) the sign shall only contain text, which shall be black;

- (d) the height of each letter in the sign's text shall not exceed 18 millimetres;
- (e) the text size and style shall be consistent throughout the sign;
- (f) the text of the sign shall not contain italics, bold type or underlining;
- (g) the text of the sign shall not identify or reflect a brand of tobacco or electronic smoking device, as the case may be. (EC538/15)

## REQUIRED SIGNS

### 5. Required sign, tobacconist shop

- (1) The owner or person in charge of a tobacconist shop shall display, at the front entry to the tobacconist shop, a sign as depicted in Schedule A or a substantially similar sign approved by an inspector.

### Required sign, retailer other than tobacconist shop

- (2) The owner or person in charge of a place or premises where tobacco is sold or offered for sale at retail, other than a tobacconist shop, shall display on every cash register in the place or premises, within clear view of the purchaser, a sign as depicted in Schedule B or a substantially similar sign approved by an inspector.

### Cash register sign, tobacconist shop

- (3) The owner or person in charge of a tobacconist shop shall display on each cash register in the tobacconist shop, within clear view of the cashier, a sign as depicted in Schedule C or a substantially similar sign approved by an inspector.

### Cash register sign, other retailer

- (3.1) The owner or person in charge of a place or premises where tobacco is sold at retail, other than a tobacconist shop, shall display on each cash register in the place or premises, within clear view of the cashier, a sign as depicted in Schedule C.1 or a substantially similar sign approved by an inspector.

### Notice

- (4) A notice referred to in section 6.1 of the Act shall be as depicted in Schedule D. (EC538/15; 119/20)

## REVOCATION

### 6. Revocation

The *Tobacco Sales and Access Act Regulations (EC414/05)* are revoked. (EC538/15)

## SCHEDULE A



(EC538/15; 119/20; 53/25)



## SCHEDULE B



(EC538/15; 119/20; 53/25)

## SCHEDULE C



(EC538/15; 119/20; 53/25)

## SCHEDULE C.1



(EC119/20; 53/25)

## SCHEDULE D

## NOTICE

TOBACCO CANNOT BE SOLD  
AT THIS LOCATION

We are prohibited from selling  
tobacco under the *Tobacco Tax Act*

Name / Nom :

Address / Adresse :

Length of Prohibition / Durée de l'interdiction : from / du to / au

## AVIS

LE TABAC NE PEUT ÊTRE  
VENDU AU PRÉSENT COMMERCE

Il nous est interdit de vendre du  
tabac en vertu de la *Tobacco Tax Act*  
(*loi fiscale sur le tabac*)



Posted under the authority of Tobacco and Electronic Smoking Device Sales and Access Act

Affiché en application de la *Tobacco and Electronic Smoking Device Sales and Access Act*  
(loi sur l'accessibilité et la vente de produits du tabac et de cigarettes électroniques)



(EC538/15)

