

**\*\*The following is a summary that is meant as a guide to assist in placing campaigns related to tobacco advertising. It is recommended that the official legislation and legal counsel be consulted before undertaking or accepting any advertising to ensure legal obligations and interpretations are accurate.**

**Tobacco law is governed federally however provinces and municipalities may enact their own bylaws. Where there is a conflict between a provision of federal Act and a provision of a provincial bylaw that regulates, restricts or prohibits smoking, the more restrictive provision prevails. In most cases provincial statutes do not address general media advertising but detail from the corresponding Act follows for your information.**

**Governed by the Ontario Ministry of Health & Long-Term Care, Smoke Free Ontario / Tobacco Control Act**

**No person shall, in any place where tobacco products are sold or offered for sale, promote the sale of tobacco products through product association, product enhancement or any type of promotional material, including, but not limited to:**

- Decorative panels and backdrops associated with particular brands of tobacco products;
- Backlit or illuminated panels
- Promotional lighting
- Three-dimensional exhibits
- Any other device, instrument or enhancement

**No person shall employ or authorize anyone to promote tobacco or the sale of tobacco at any place of entertainment that the person owns, operates or occupies.**

**Definition : “place of entertainment” means a place to which the public is ordinarily invited or permitted access, either expressly or by implication and which is primarily devoted to eating, drinking or any form of amusement.**

**No other reference to general advertising or OOH specifically is detailed. Federal regulations should be followed.**

**For the complete Smoke Free Ontario Act, visit:**

- [http://www.health.gov.on.ca/english/public/updates/archives/hu\\_05/smoke\\_free\\_ontario\\_act.pdf](http://www.health.gov.on.ca/english/public/updates/archives/hu_05/smoke_free_ontario_act.pdf)
- [http://www.e-laws.gov.on.ca/html/source/statutes/english/2005/elaws\\_src\\_s05018\\_e.htm](http://www.e-laws.gov.on.ca/html/source/statutes/english/2005/elaws_src_s05018_e.htm)

**Amendments current as of May 2006**

**Date of OMAC update: November 2011**