

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
1 CHARLES III, 2023

Bill 106

**An Act to amend the Tobacco Tax Act to authorize police officers
to undertake certain enforcement actions**

MPP F. Gélinas

Private Member's Bill

1st Reading May 9, 2023

2nd Reading

3rd Reading

Royal Assent



**An Act to amend the Tobacco Tax Act to authorize police officers
to undertake certain enforcement actions**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 (1) Subsection 6 (6) of the *Tobacco Tax Act* is amended by striking out “Any person who is authorized for the purpose by the Minister and who” at the beginning and substituting “Any person who is authorized for the purpose by the Minister, or any police officer, who”.

(2) Subsection 6 (7) of the Act is amended by striking out “a person authorized for the purpose by the Minister may” and substituting “a person authorized by the Minister or a police officer may”.

2 Section 23 of the Act is amended by adding the following subsection:

Police officers deemed to be authorized

(1.0.1) All police officers are deemed to be authorized by the Minister to undertake,

- (a) the actions set out in subsection (1); and
- (b) any action which, under this Act, is permitted to be undertaken by a person carrying out an inspection under subsection (1).

3 Section 24 of the Act is amended by adding the following subsection:

Police officers deemed to be authorized

(1.1) All police officers are deemed to be authorized by the Minister to undertake,

- (a) the actions set out in subsection (1); and
- (b) any action which, under this Act, is permitted to be undertaken by a person carrying out an action under subsection (1).

Commencement

4 This Act comes into force on the day that is six months after the day this Act receives Royal Assent.

Short title

5 The short title of this Act is the *Better Enforcement of the Tobacco Tax Act, 2023*.

EXPLANATORY NOTE

Currently, under the *Tobacco Tax Act*, certain enforcement activities are carried out by persons authorized by the Minister of Finance. The Bill amends the Act to deem police officers to be authorized by the Minister of Finance to carry out those enforcement activities or to otherwise authorize them to do so.