

Canada

Overall score:

47

- I. Industry participation in policy development:** The Federal Department of Health has a policy of “not partnering with the tobacco industry on tobacco control programming” but similar policies of not partnering with the industry on health issues by other government departments or agencies are not in place.

The *Federal Lobbyist Registry* reveals that the tobacco industry is currently engaging with at least 16 departments and agencies including Health Canada, the Canada Revenue Agency, Finance Canada, the Treasury Board, the House of Commons, the Senate of Canada, the Royal Canadian Mounted Police, Justice Canada, the Privy Council and the Prime Minister’s Office.

In its policy consultations, the Federal Department of Health regularly invites policy proposals from all parties including the tobacco industry. The Ministry has accepted industry recommendations for delayed implementation of regulations on repeated occasions.

The Department of Health reports that it does not use policies or legislation drafted by, or in consultation with, the tobacco industry, though there may be some specific amendments that arise as part of a public consultation process.

Tobacco industry representatives have not been invited to join Canadian delegations at the FCTC Conference of Parties.

- II. Tobacco industry-related CSR activities:** Some government agencies continue to partner with the tobacco industry and accept funding. There are no prohibitions in place to prevent these violations. For example, Canada Border Services Agency has signed a partnership agreement with Imperial Tobacco Canada Ltd. as part of its “Partners in Protection” program, although the details of the agreement have not been disclosed. The National Sciences and Engineering Research Council of Canada identifies

Imperial Tobacco among its NSERC project partners.

- III. Benefits given to the tobacco industry:** It is not uncommon for Canadian governments to postpone the implementation of tobacco control laws when under pressure from the tobacco industry or its allies. Recently, the implementation of slide-and-shell packaging was postponed for two years following the implementation of standardized packaging on tobacco products.

A general federal tax exemption is provided for advertising and promotion expenses for Canadian businesses and this exemption also applies to tobacco industry advertising and promotion.

International travellers are allowed to bring 200 cigarettes, 50 cigars, and 200 grams (7 ounces) of manufactured tobacco into Canada for trips of 48 hours or greater.

- IV. Unnecessary interaction with the tobacco industry:** Limitations on interactions with tobacco companies only extend to the Federal Department of Health staff and officials. The Alberta provincial government extends limitations on interactions with tobacco companies to all government employees and elected officials.
- V. Procedure for transparency measures:** Limitations on interactions with tobacco companies only extend to the Federal Department of Health staff and officials. The Department requires participants in consultation processes to declare perceived or actual conflicts of interest in making their submissions.

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Tobacco lobbyists report numerous and ongoing meetings with government officials in the *Federal Lobbyist Registry*. The Alberta (subnational) provincial government extends limitations on interactions with tobacco companies to all government employees and elected officials.

The Federal Department of Health has proposed new regulations to "improve the information collected by Health Canada from manufacturers and importers of tobacco products and to require that the Minister disclose certain information to the public". However, no regulations have been approved to date.

VI. Avoiding conflicts of interest: A general ban on donations to political campaigns for electoral purposes applies to all corporations, trade unions and non-governmental organizations, not just to tobacco companies. There are no policies to guide public office holders in accepting positions with tobacco companies other than those which apply to other industries.

Prime Ministers, Senators, Cabinet Ministers, Members of Parliament, senior government advisors and officials from the health ministry have moved from the tobacco industry to federal government lobbying roles or vice-versa. Even after the ratification of the FCTC, a tobacco control regulator was able to move sequentially from Health Canada to Imperial Tobacco to the Public Health Agency of Canada.

VII. Preventive measures: In 2018, the Federal Department of Health launched a website that discloses the attendees and minutes of meetings with the tobacco industry. However this disclosure is limited only to meetings with the Federal Department of Health and not to other Ministries. The meetings that are currently listed on the site are limited to 2018.

There is no code of conduct for public officials dealing with the tobacco industry which extends beyond the code for other industries. Information on lobbying activities and political contributions are reported as requirements of the Lobbyist Registration Act and the Elections Act with requirements for reporting and public disclosure.

There are no government efforts to raise awareness about the use of individuals, front groups and affiliated organizations. In recent public consultations, the federal Department of Health has requested that those making submissions indicate whether they receive funding from the tobacco industry.

Recommendations

1. Launch a government-wide initiative to fully implement Article 5.3 across all Federal departments and agencies with robust policies, instruments, monitoring and public reporting.
2. Assist other levels of government to fully implement Article 5.3 in a consistent manner.
3. Provide funding for independent monitoring of and reporting on industry actions and government adherence to Article 5.3.
4. Prohibit all Federal government partnerships and collaborations with the tobacco industry.
5. Divest tobacco industry holdings from the Canada Pension Fund and all Federal government investment vehicles.