



Australian Capital Territory

Smoke-free Areas (Enclosed Public Places) Regulations

Subordinate Law No. 37 of 1994¹

The Australian Capital Territory Executive makes the following Regulations under the *Smoke-free Areas (Enclosed Public Places) Act 1994*.

Dated 8 November 1994.

TERRY CONNOLLY
Minister

BILL WOOD
Minister

Citation

1. These Regulations may be cited as the Smoke-free Areas (Enclosed Public Places) Regulations.

Commencement

2. These Regulations commence on the day on which they are notified in the *Gazette*.

Interpretation

3. In these Regulations, unless the contrary intention appears—

“Act” means the *Smoke-free Areas (Enclosed Public Places) Act 1994*;

“smoking prohibited symbol” means the symbol designated in Australian Standard 2899.1—1986 to indicate where smoking is prohibited.

Prescribed signs and manner of display

4. (1) For the purposes of subsection 14 (3) of the Act a prescribed sign is a sign that—

(a) contains—

- (i) the phrase “no smoking”, “smoking prohibited” or “smoke-free zone” in letters that are at least 20 mm in height;
- (ii) the smoking prohibited symbol with a diameter of at least 70 mm; or
- (iii) other words or symbols that indicate clearly that smoking is prohibited; and

(b) indicates clearly where smoking is prohibited.

(2) For the purposes of subsection 14 (3) of the Act the prescribed manner of displaying signs within a place is—

- (a) in such numbers; and
- (b) in positions of such prominence;

that such a sign is likely to be seen by a person at a public entrance to, or within, the place.

(3) Subregulations (1) and (2) do not apply in relation to an enclosed public place if—

- (a) persons within the place could reasonably be expected to know, by custom or otherwise, that smoking is not permitted in the place; and
- (b) persons do not usually smoke in the place.

Signs citing Act

5. An occupier of an enclosed public place shall not, without reasonable excuse, display within that place a sign—

- (a) indicating that smoking is prohibited; and
- (b) that includes a reference to the Act;

unless smoking is prohibited under the Act in that place.

Penalty:

- (a) if the offender is a natural person—\$500;
- (b) if the offender is a body corporate—\$2,500.

NOTE

1. Notified in the ACT Gazette on 9 November 1994.