

# INFORMATION ABOUT TOBACCO

*The Victorian Government has been introducing smoking bans to help protect the health of the community.*

## WORKPLACES/DINING ESTABLISHMENTS

All enclosed workplaces, including any food or drink premises and shopping centres are smoke-free. The occupier (person in control) of the workplace, may also be liable for breaching the Tobacco Act if smoking occurs, as well as under the Food Act in certain circumstances.

Smoking is also prohibited within **four metres** of an entrance to all Victorian children's indoor play centres, public hospitals, registered community health centres and certain Victorian Government buildings (such as Centrelink, Magistrates Court etc.). The ban at entrances applies to schools, childcare centres and kindergartens as well, with smoking also banned on the grounds of these premises.

### Outdoor Dining areas

Smoking is banned in all outdoor dining areas including alfresco dining areas, courtyards and beer gardens during times food is being eaten, or is available to be eaten

Existing smoking restrictions for outdoor drinking areas continue to apply which means smoking is banned in an area that has a roof and the total actual area of wall surface exceeds 75% of the total notional wall area.

### Outdoor Drinking areas

To complement smoke-free outdoor dining, smoking is banned in an outdoor drinking area if any part of that area is within 4 metres of an outdoor dining area, unless separated by a 4 metre buffer zone or wall of at least 2.1 metres high

## OUTDOOR ACTIVITIES

Smoking is banned within **ten metres** of outdoor public children's playground equipment, skate parks and sporting venues during organised underage sporting events, as well as in the outdoor areas of public swimming pools.



## EVENTS

Smoking is banned in all outdoor public areas at a **food fair**. A food fair is an event where the principal activity is the supply of food for consumption at the event. That is, the entire food fair is required to be smoke-free. This means that a designated smoking area is not allowed at a food fair.

Smoking is banned in outdoor public areas that are within **10 metres** of a food stall or food vendor at an **organised event** (other than a food fair). An organised event, it is considered to be any public event that is planned and organised in advance, and has a community, sporting, arts, cultural or volunteer focus. It may be a one-off event or part of a series of events.

## SIGNAGE

Occupiers must display acceptable 'No smoking' signage to indicate smoke-free areas at a hospitality venue, food fair or organised outdoor event. The prominent display of 'No smoking' signage is a key aspect of smoke-free outdoor dining. It will help make customers aware of the ban, promote voluntary compliance and prevent unintentional smoking in smoke-free areas.

### Outdoor dining areas

'No smoking' signs must be displayed so customers are reasonably likely to see one or more signs when entering, or from within, the outdoor dining area.

### Outdoor drinking areas

Within 4 metres of outdoor dining areas 'No smoking' signs must be displayed in an outdoor drinking area if any part of that area is within 4 metres of an outdoor dining area and is not separated by a wall at least 2.1 metres high. The occupier of the outdoor drinking area is responsible for displaying the 'No smoking' signage.

### Food fairs and organised events

'No smoking' signs must be displayed so that customers are reasonably likely to see one or more signs when entering, or from within, the outdoor dining area at the food fair or organised event.

Multiple signs in different locations may be necessary depending on the size and layout of the food fair or organised event.

# NO SMOKING



Quitline  
137848



PENALTIES APPLY Tobacco Act 1987

## TOBACCO RETAILERS

The sale of tobacco to persons under the age of 18 is prohibited and can attract fines, and/or prosecution to both the person who sold, and the business owner. Managers / proprietors must also train their staff every 6 months, and document the training (see 'Tobacco Retailer Guide' for more information).

Tobacco products **must not be visible** from anywhere inside or outside a retail outlet. Tobacco products include cigarettes, E-cigarettes, cigars and loose tobacco, and the ban also applies to vending machines.

### Retailers are also to comply with the following:

- No display of cigarettes / cartons / cigars or loose tobacco products except 'specialist tobacconists' certified by the Department of Health and Human Services.
- The prescribed A3-sized 'Health Warning' and A4-sized 'We don't sell tobacco to under 18's' signs are displayed



- If displaying a price board, a prescribed A4-sized graphic health warning must be adjacent to it
- Price tickets and price boards need to conform to size and colour regulations
- No gifts / benefits can be offered with tobacco products
- No 'cheap smokes' or 'discount cigarettes' advertising
- No sale of single cigarettes or in packs of less than 20
- No tobacco advertising within the premises, including non-branded advertising

Tobacco guidance materials and prescribed signage are available from Health Services Unit on ☎ 5272 4411. For more information on Tobacco reforms, see

<http://www.health.vic.gov.au/tobaccoreforms>