



New South Wales

Smoke-free Environment Regulation 2000

under the

Smoke-free Environment Act 2000

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Smoke-free Environment Act 2000*.

CRAIG KNOWLES, M.P.,

Minister for Health

Explanatory note

The objects of this Regulation are as follows:

- (a) to prescribe the signs that occupiers of smoke-free areas are required to display under section 9 (1) of the *Smoke-free Environment Act 2000*,
- (b) to prescribe the manner in which such signs are required to be displayed,
- (c) to exempt certain public places from the requirements relating to the display of such signs (the exempt places are public places where persons would be reasonably expected to know that smoking is not permitted and in which persons do not usually smoke).

This Regulation is made under the *Smoke-free Environment Act 2000*, including sections 9 and 23 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

Smoke-free Environment Regulation 2000

1 Name of Regulation

This Regulation is the *Smoke-free Environment Regulation 2000*.

2 Commencement

This Regulation commences on 6 September 2000.

3 Definition

(1) In this Regulation:

the Act means the *Smoke-free Environment Act 2000*.

(2) The explanatory note does not form part of this Regulation.

4 Signs displayed in smoke-free zones

(1) For the purposes of section 9 (1) of the Act, signs that are clearly legible and contain:

- (a) the smoking prohibited symbol with a diameter of at least 90 mm, and
- (b) the words “NO SMOKING” in letters of at least 20 mm in height, and
- (c) a reference to the name of the Act, and
- (d) the words “Penalties may apply”,

are prescribed.

(2) For the purposes of section 9 (1) of the Act, the prescribed manner of displaying signs within a smoke-free area is:

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

that they are likely to be seen by a person at a public entrance to, or within, the area.

(3) In this clause:

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

5 Exemption from requirement to display signs

In accordance with section 9 (2) of the Act, any public place:

- (a) in respect of which persons would reasonably be expected to know, by custom or otherwise, that smoking is not permitted, and
 - (b) in which persons do not usually smoke,
- is exempt from section 9 (1) of the Act.