



New South Wales

Smoke-free Environment Amendment (E-cigarettes) Bill 2017

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to regulate the use of e-cigarettes in certain public places.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 amends the *Smoke-free Environment Act 2000* to include the use or holding of, or otherwise having control over, an e-cigarette within the definition of *smoke*. By extending this definition, the proposed Act provides for the regulation of e-cigarettes in the same way that ignited tobacco products are regulated.



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Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Smoke-free Environment Act 2000 No 69	2



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Smoke-free Environment Amendment (E-cigarettes) Bill 2017

No. , 2017

A Bill for

An Act to amend the *Smoke-free Environment Act 2000* to regulate the use of e-cigarettes in certain public places.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Smoke-free Environment Amendment (E-cigarettes) Act 2017</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5
3 Amendment of Smoke-free Environment Act 2000 No 69	6
(1) Section 3 Object of Act	7
Insert “, and aerosols or vapours from e-cigarettes,” after “other smoke”.	8
(2) Section 4 Definitions	9
Insert in alphabetical order:	10
<i>e-cigarette</i> has the same meaning as it has in the <i>Public Health (Tobacco) Act 2008</i> .	11
(3) Section 4, definition of “smoke”	13
Omit the definition. Insert instead:	14
<i>smoke</i> means:	15
(a) in relation to tobacco or any other product that is intended to be smoked (except an e-cigarette)—smoke, hold or otherwise have control over, the product when it is ignited, and	16
(b) in relation to an e-cigarette—use, hold, or otherwise have control over, the e-cigarette when it is generating or releasing an aerosol or vapour.	17
(4) Section 4, definition of “smoking product”	22
Omit the definition.	23