



New South Wales

Smoke-free Environment Amendment (Motor Vehicle Prohibition) Bill 2008

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Smoke-free Environment Act 2000* (the *Principal Act*) to prohibit smoking in motor vehicles (maximum penalty: 5 penalty units or \$550).

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.

Clause 3 is a formal provision that gives effect to the amendments to the Principal Act set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] inserts a definition of *motor vehicle* into the Principal Act.

Schedule 1 [2] inserts proposed Part 1A into the Principal Act, having the effect described above in the overview.

Schedule 1 [3] and [4] contain consequential amendments.



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Smoke-free Environment Amendment (Motor Vehicle Prohibition) Bill 2008

No. , 2008

A Bill for

An Act to amend the *Smoke-free Environment Act 2000* to prohibit smoking in motor vehicles.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Smoke-free Environment Amendment (Motor Vehicle Prohibition) Act 2008</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Smoke-free Environment Act 2000 No 69	7
The <i>Smoke-free Environment Act 2000</i> is amended as set out in Schedule 1.	8 9

Schedule 1	Amendments	1
	(Section 3)	2
[1]	Section 4 Definitions	3
	Insert in alphabetical order:	4
	<i>motor vehicle</i> has the same meaning as it has in the <i>Road Transport (General) Act 2005</i> .	5 6
[2]	Part 1A	7
	Insert after Part 1:	8
	Part 1A Prohibition on smoking in motor vehicles	9
	5A Offence of smoking in motor vehicle	10
	A person must not smoke in a motor vehicle at any time.	11
	Maximum penalty: 5 penalty units.	12
[3]	Section 21A Compensation not payable	13
	Insert “or the <i>Smoke-free Environment Amendment (Motor Vehicle Prohibition) Act 2008</i> ” after “ <i>Smoke-free Environment Amendment Act 2004</i> ” in section 21A (1) (a).	14 15 16
[4]	Schedule 2 Savings, transitional and other provisions	17
	Insert at the end of clause 1 (1):	18
	<i>Smoke-free Environment Amendment (Motor Vehicle Prohibition) Act 2008</i>	19 20