

Smoke-free Environment Regulation 2000

[2000-556]



New South Wales

Status Information

Currency of version

Historical version for 4 October 2002 to 2 January 2005 (accessed 30 June 2024 at 2:04)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
[Smoke-free Environment Amendment Act 2004 No 110](#) (not commenced — to commence on 3.1.2005)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 15 December 2004

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Smoke-free Environment Regulation 2000



New South Wales

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.

6 Exempt premises—prescribed requirements

The occupier of exempt premises is required:

- (a) to separate the exempt premises from any other part of the premises that is a smoke-free area by the use of partitions or other similar barriers, or
- (b) to ensure that a space of at least 1.5 metres is maintained between the exempt premises and any other part of the premises that is a smoke-free area.