

Smoke-free Environment Regulation 2000

[2000-556]



New South Wales

Status Information

Currency of version

Historical version for 3 January 2005 to 3 March 2005 (accessed 26 June 2024 at 14:54)

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.

Authorisation

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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 areas—prescribed requirements

The occupier of premises that contain an exempt area is required:

- (a) to separate the exempt area 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 area and any other part of the premises that is a smoke-free area.