

Declared smoke-free outdoor areas and events?

Local councils and other incorporated bodies can apply to have an outdoor area or event declared smoke-free.

What is the purpose of this law?

Section 51 and Section 52 of the *Tobacco Products Regulation Act 1997* allows for local councils and other incorporated bodies to identify and apply to make a certain outdoor area or event declared non-smoking. This will allow the area or event's non-smoking status to be enforceable under the Act.

Who can apply?

Applications will only be accepted from local councils and other incorporated bodies. Individuals can seek declarations through their local council.

Incorporated bodies include groups that run major events such as festivals, shows and music events.

Can declared smoke-free outdoor areas or events include smoking zones?

Local councils and other incorporated bodies that apply to have an area or event declared smoke-free can specify areas where smoking will continue to be allowed.

Areas that have not been declared smoke-free will be considered as part of the application.

What does the application process involve?

Short or long-term applications can be made. The Minister for Mental Health and Substance Abuse has the power to declare a smoke-free area for a period of up to three days. Examples include football carnivals, fetes, pageants and other community events. Completed applications for an event of three days or less should be received at least eight weeks before the event.

Major and longer-term areas and events will be declared smoke-free by Regulation. Due to the Cabinet and Parliamentary processes required to introduce a Regulation, an application is required at least six months before it is introduced.

Before applying, please contact the Tobacco Control Unit on ph: 7425 5000 to discuss your proposal.

Applications need to be made in writing and include:

- > The period that the smoke-free areas will apply.
- > A clear rationale for why the declaration is sought.
- > A detailed description of the area or event for which the declaration is sought, including a map.
- > Evidence of consultations with stakeholders, including industry groups affected and the relevant community.
- > Documentation of any other impacts on the area and its environs that may be caused by the declaration and how these will be addressed.
- > A communication strategy showing how the public will be notified of the smoke-free status of the area or event, including signage and enforcement strategies.
- > An enforcement plan.
- > Evidence of evaluation to inform future declarations.

See the Application Guide for information on completing an application.

For more information

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