



Fact Sheet 10: Smoking in a non-smoking area

It is illegal to smoke in designated non-smoking areas in the ACT.

If you do, you face fines of **\$800**. The fine increases to **\$3200** if you have been told to stop smoking by a police officer or the building occupier and you don't stop.

1. What is a 'non-smoking area' in the ACT?

1.1. Enclosed public places

There are many places that fall into this category: businesses, cinemas or theatres, clubs and hotels, community centres, government premises, nursing homes, libraries, churches, public transport vehicles, restaurants, schools, shopping centres and sporting venues. In general a public place is enclosed if it is covered and 75% or more of the area is enclosed.

1.2. Outdoor eating or drinking places

These are places like restaurants, cafés, food courts, or bars. It is illegal to smoke in these places while food or drink is being served, or while there is cleaning going on.

But if the owner has put up a sign designating a certain area as an 'outdoor smoking area' then you can smoke there!

1.3. Play equipment

This includes 10 metres around play equipment provided by the ACT government, such as play equipment in parks.

2. When am I actually 'smoking'?

'Smoking' includes actually smoking an ignited smoking product, or just holding the smoking product while it is ignited! Smoke includes vapour from a personal vaporiser.

3. Is it an offence to litter cigarette butts?

It is an offence to drop litter butts at a public place or an open private place unless you are dropping the cigarette butt in the bin. If you do litter a cigarette butt you could be fined up to \$1,600.

It is also an offence where you put the cigarette butt in the bin, but it does, or is likely to, escape from the bin onto a public place or open private place. For this you can be fined up to \$1,600.