

Ban on smoking at outdoor skate parks

Information for residents of and visitors to Victoria

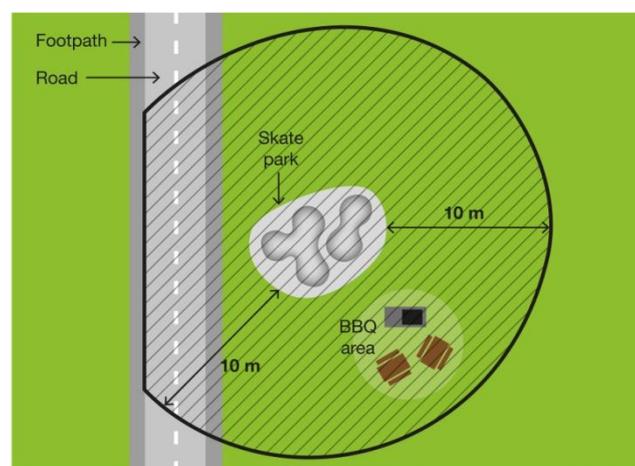
By law, smoking is banned within 10 metres of all skate parks (about two car lengths) in outdoor public places in Victoria from 1 April 2014.¹

Where does the ban apply?

Under this law, skate parks are defined as being an area specifically designed and equipped with structures for rollerblading, rollerskating and skateboarding or the use of BMX or non-motorised scooters.

The ban applies to outdoor drinking areas that are situated within 10 metres (about two car lengths) of an outdoor skate park.

This diagram shows an example of where the smoking ban applies.



Shading indicates outdoor 'no smoking' area

Why does the ban exist?

To protect children and young people from the dangers of second-hand smoke

Skate parks attract young people and families with children. This ban creates a smoke-free place where children and young people can enjoy themselves without being exposed to harmful second-hand tobacco smoke.

Second-hand tobacco smoke exposure is particularly dangerous for children and young people because they have smaller airways and less developed immune systems compared to adults.

To reduce the role modelling of smoking behaviours around children and young people

Children and young people are more likely to view smoking as socially acceptable when they regularly see people smoking. Banning smoking in areas used by children and young people will help to de-normalise smoking behaviour and discourage children and young people from taking up smoking.

Where does the ban not apply?

The ban does not apply to a person:

- at a residential premises (at privately owned homes and land)
- in a motor vehicle that is being driven past the skate park
- in an area that is separated from the skate park by a road.

How will people know about the ban?

An education campaign, including announcements in the media, and newspaper and radio advertising will inform the public of the law. Signs may also be displayed in the smoke-free area.

¹ Section 5RG(1) of the *Tobacco Act 1987*.

How will the ban be enforced?

There is strong community support for banning smoking at public places regularly attended by children. This means most people will voluntarily comply with the smoking ban and expect others to do so.

Inspectors authorised under the *Tobacco Act 1987* may also provide information about and, when necessary, enforce the ban and issue a fine. The first goal of the inspectors is to make sure smokers understand the ban.

Inspectors may not be available to respond to every complaint, but where circumstances allow, may attend in response.

What penalties might apply?

The maximum penalty for someone breaking this law is five penalty units, with an infringement penalty of one penalty unit.

As of 1 July 2018, a penalty unit is valued at \$161.19.²

How can I find out more?

For more information:

- visit the [tobacco reforms website](http://www.health.vic.gov.au/tobaccoreforms) <www.health.vic.gov.au/tobaccoreforms>
- call the Tobacco Information Line on 1300 136 775

To view the legislation visit the Victorian Government's [legislation website](http://www.legislation.vic.gov.au) <www.legislation.vic.gov.au> and search *Tobacco Act 1987*.

To receive this publication in an accessible format phone 1300 136 775, using the National Relay Service 13 36 77 if required, or email tobacco.policy@dhhs.vic.gov.au

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Available from the [tobacco reforms website](http://www.health.vic.gov.au/tobaccoreforms) <www.health.vic.gov.au/tobaccoreforms>

² For current penalty unit values, visit the Department of Treasury and Finance website, <https://www.dtf.vic.gov.au/financial-management-government/indexation-fees-and-penalties>