

Ban on smoking at public hospitals and registered health centres

Factsheet for visitors

By law, smoking is banned within four metres of an entrance to public hospitals and registered community health centres in Victoria.

Public hospitals or registered community health centres may also have policies in place which further limit smoking in outdoor areas. Such a policy would apply in addition to the legislative ban.

Where does the ban apply?

Smoking is banned within four metres of pedestrian access points (entrances) to public hospitals and registered community health centres.

The diagrams below show examples of where the smoking ban applies at a hospital.

Figure 1: Smoking ban at public hospital entrance

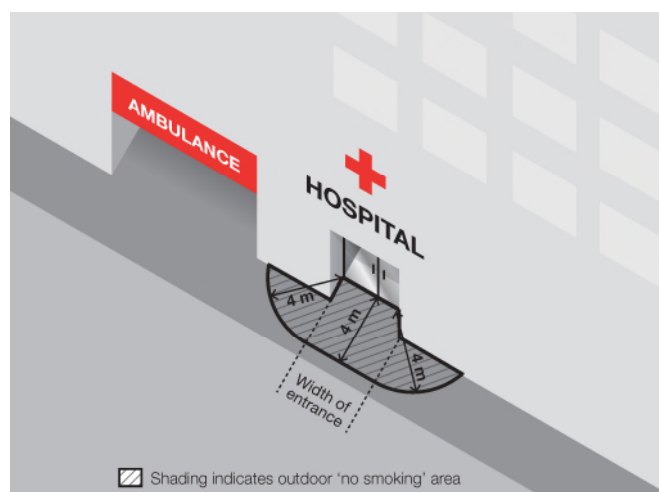
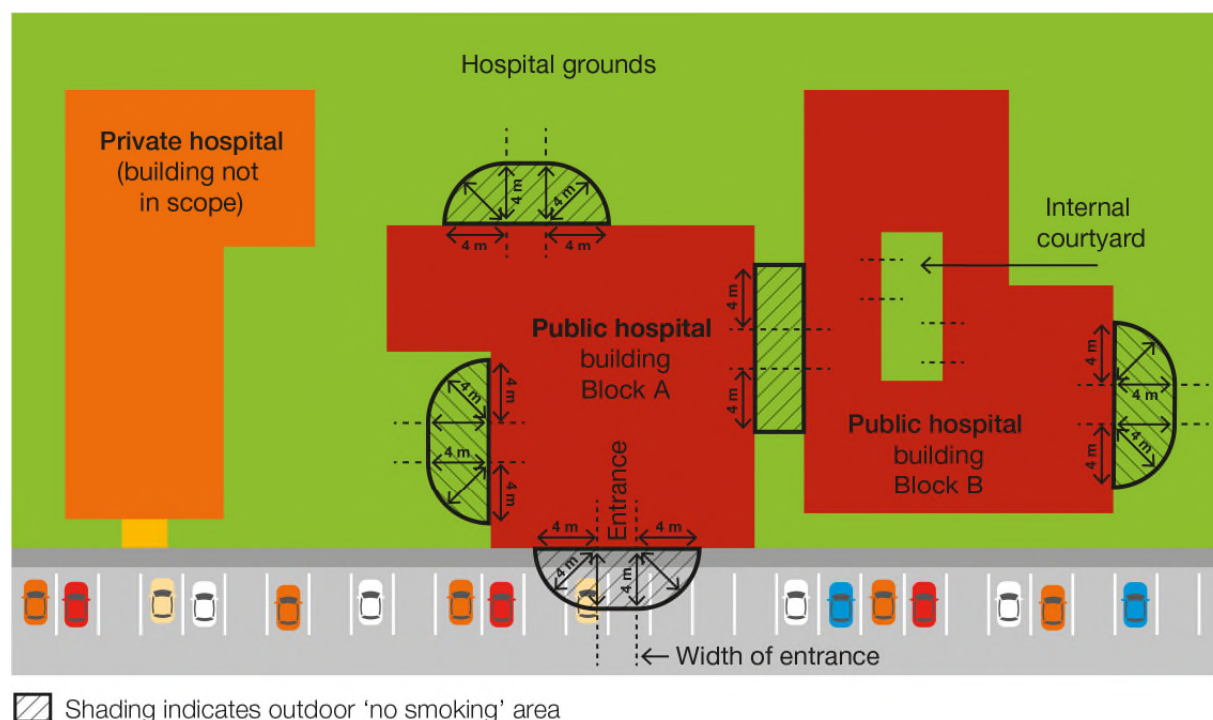


Figure 2: Smoking ban on public hospital grounds



Why does the ban exist?

The purpose of the smoking ban is to:

- protect the community from exposure to second-hand tobacco smoke
- further de-normalise smoking in the community. The more people see smoking in public places the more they will tend to think smoking is okay, rather than harmful
- support people who have quit or are trying to quit smoking

What is a pedestrian access point?

A pedestrian access point (entrance) means a door or gate by which a person can enter or exit the premises.

It *does not* include an emergency exit that is locked to entry.

It *does* include shared doors or gates. For example, where a building is occupied by a registered community health centre as well as other organisations, such as private businesses, any shared entrances that are used to access both areas of the building is subject to the smoking ban.

Any entrances which lead only to premises not included in the smoking ban, such as the private offices, would not be subject to the smoking ban.

Where does the ban not apply?

The ban does not apply:

- to an entrance to a private hospital, unless the entrance also provides access to a public hospital
- to an emergency exit that is locked to entry
- to a person walking through the smoke-free area
- to a person in a motor vehicle that is driving or being driven through the smoke-free area
- to a person in an area that is separated from the smoke-free area by a road
- to a person in an outdoor drinking area located within the smoke-free area
- to a person at a residential premises (at privately owned homes and land).

How will people know about the ban?

Signs will be displayed in the smoke-free area.

How is the ban enforced?

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

Local council inspectors, authorised under the *Tobacco Act 1987*, may provide information about and, when necessary, enforce the ban. The first priority of the inspector is to make sure smokers understand the ban.

Councils may conduct proactive patrols of hospital entrances to enforce the ban.

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

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 2017, one penalty unit is valued at \$158.57.¹

How can I find out more?

For more information:

- visit www.health.vic.gov.au/tobaccoreforms
- call the Tobacco Information Line on **1300 136 775**

To view the exact wording of the law from 1 August 2017, visit the Victorian Government's legislation website www.legislation.vic.gov.au and search Tobacco Act 1987

¹ Penalty units are indexed annually. For current penalty unit values, visit the Office of the Chief Parliamentary Council website, www.ocpc.vic.gov.au

To receive this publication in an accessible format phone the Tobacco Information Line on 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 at www.health.vic.gov.au/tobaccoreforms