

# Tobacco laws in Queensland

Laws in Queensland include smoking bans for indoor and outdoor public places, as well as tough restrictions on the retail advertising, display and promotion of tobacco products.

These laws create a culture that:

- reduces exposure to second-hand smoke
- supports smokers trying to quit
- discourages children from taking up the habit

Research shows that young people are much less likely to take up smoking if their schools, homes and recreation areas are no-smoking areas. Efforts to help adults to quit smoking and reducing exposure to smoking in public places also sends a positive message to young people about not smoking.

## Current laws

Some current smoking laws that affect our bowls club are:

- no-smoking anywhere inside the club
- no-smoking within 4 metres of non-residential building entrances
- no tobacco advertising or competitions
- **electronic cigarettes cannot be used in no-smoking indoor and outdoor areas**

And from 1 September 2016

- no-smoking at or near under under-age organised sporting events
- **the no-smoking area at non-residential building entrances increases from 4 to 5 metres**
- local governments may ban smoking at any other outdoor public place not already covered by state laws

## Legislation and enforcement

Queensland's tobacco laws are governed by 2 sets of legislation:

- Tobacco and Other Smoking Products Act 1998
- Tobacco and Other Smoking Products Regulation 2010

They are primarily enforced by Queensland Health Environmental Health Officers (EHOs), who can:

- issue individuals warnings and on-the-spot fines
- issue businesses improvement notices, warnings and on-the-spot fines
- initiate legal proceedings for breaches of the tobacco laws
- respond to complaints
- inspect premises
- provide advice about the tobacco laws

If you are smoking in a no-smoking zone and approached by an authorised EHO, you are required by law to provide your correct name and address to the officer. They generally do not wear a uniform, but they will show an identification card before asking any questions.

## Current fines and penalties

For tobacco products, the current penalty unit amount is set at **\$117.80**. This is effective from 1 July 2015.

### Outdoor public areas

#### On-the-spot fines

##### Outdoor places

Section of Act	Offence Description	Who can be fined	Penalty unit
S26ZJ	Smoking within 4 metres (5 metres from 1 <sup>st</sup> September 2016) of a non-residential building entrance	Smoker	2
S26ZF S26ZL	Failing to stop smoking in any of the outdoor no-smoking areas when directed to do so by an authorised person	Smoker	2

### Hotels and clubs

#### On-the-spot fines

##### Outdoor places

Section of Act	Offence Description	Who can be fined	Penalty unit
S26S	Failing to display the no-smoking sign at the entrance to the liquor licensed premises	Occupier (licensee)	2
S26R(1)	Smoking in an enclosed area	Smoker	2
S26U(1)	Not stopping smoking in an enclosed area when directed to do so by an authorised person	Smoker	2
S26V(1)	Allowing a person to smoke in an enclosed place	Occupier (licensee)	10
S26X(1)	Smoking at an outdoor eating or drinking area	Smoker	2
S26Y(1)	Not stopping smoking in an outdoor eating or drinking area, when directed to do so by an authorised person	Smoker	2

### Liquor licensed restaurants and other liquor licensed premises

#### On-the-spot fines

Section of Act	Offence Description	Who can be fined	Penalty unit
S26R(1)	Smoking in an enclosed area	Smoker	2
S26U(1)	Not stopping smoking in an enclosed area when directed to do so by an authorised person	Smoker	2