



Smoke-Free Legislation



Your Questions Answered...

Q1 When does the legislation come into force?

The **Smoking (Northern Ireland) Order 2006** comes into force on 30th April 2007.

Q2 Why do we need smoke-free legislation?

The new law is intended to protect people from second-hand smoke. Second-hand smoke is breathing in other people's tobacco smoke. Research has shown that, in non-smokers, exposure to second-hand smoke can increase the risk of:

- Lung cancer by 20 – 30%
- Heart disease by 25 – 35%
- Asthma by 40 – 60%
- Stroke by 80%

Second-hand tobacco smoke is a mixture of over 4,000 chemicals, around 60 of which are known or suspected to cause cancer.

Q3 What will this mean to my Business?

This will mean that smoking in enclosed or substantially enclosed workplaces (including work vehicles) and enclosed and substantially enclosed places to which the public have access will be against the law. The law will also require you to **DISPLAY SIGNS** at each entrance to smoke-free premises and in smoke-free vehicles. A duty is also placed on businesses to stop people smoking in smoke-free places and vehicles.

To help you comply with the legislation, Lisburn City Council recommends that you:

- Inform and consult staff on the changes resulting from this law
- Introduce a smoke-free policy
- Train staff on how to deal with breaches in the policy
- Review your policy and update if necessary
- Keep a written record of any breaches of the policy, including breaches by members of the public.

You will also need to consider litter, noise and liquor licensing issues, if staff or customers use external areas to smoke.

Q4 What does substantially enclosed mean?

For premises or a structure to be considered as enclosed or substantially enclosed:

- it will have a ceiling or roof (includes awnings or other retractable structures e.g. table parasols); **and**
- more than 50% of the perimeter of the premises/structure will be enclosed by walls, doors, windows, or structures that serve the purpose of walls, for example dense hedge or solid fencing.

Q5 Why is ventilation not enough?

Ventilation may remove the smell of tobacco smoke but it does not eliminate all the cancer-causing particles and gases from the air. Just because the air is not visibly smoky does not mean it is safe. By providing ventilation you will not comply with the law.

Q6 If I intend to create an outside smoking area, what permissions do I need?

You do not have to provide a smoking area. However, if erecting any structure such as a canopy, awning or shelter, or changing the use of land or a building, you should consult with Planning Service and Building Control. If you intend to use an area outside your premises, for example a public footpath, you should consult with the Department of Regional Development - Roads Service. If you serve alcohol you should also check if your liquor licence allows drinking in that area.

Q7 What should I do if someone breaks the law?

Approach the person in a non-confrontational manner and:

1. Draw their attention to the no smoking signs
2. Advise them that smoking in enclosed or substantially enclosed places is prohibited by law.
3. Advise them where smoking is permitted
4. Refuse service to anyone who continues to smoke and ask them to leave the premises
5. If a customer refuses to leave, follow your company procedures for dealing with anti-social behaviour
6. If threatened, seek assistance of the PSNI. Do not put yourself in any danger.

Q8 Where can I get further advice on going smoke-free?

Lisburn City Council's Environmental Health Service who will enforce the smoke-free legislation.

For further advice or information, contact the Service by telephone on 028 9250 9394, email: ehealth@lisburn.gov.uk or visit lisburncity.gov.uk