

Tobacco laws aim to improve health

Tobacco is the greatest killer out of all drugs, both legal and illegal. Nearly 5000 Victorians die each year from tobacco-related illness.

In recent years, new laws in Victoria have been introduced to reduce tobacco use and exposure to passive smoke. These reforms have contributed to declines in both adult and youth smoking rates in Victoria. The adult smoking rate in Victoria has decreased by approximately one-third from 1985. In 2004, 17.4 per cent of Victorians aged 14 years and over were daily smokers.

In Victoria, from 1 January 2010, it is illegal to smoke in cars carrying children under 18 years of age.

More changes to tobacco laws in 2006

Further changes to Victoria tobacco laws from 1 March 2006 include:

- A ban on smoking in most enclosed workplaces - for example most restaurants, cafes and shopping centres.
- A ban on smoking, the promotion of tobacco products and the sale of tobacco products at underage 'music/dance' events.
- A ban on smoking in covered areas of train station platforms, tram and bus shelters.
- Strengthened laws to enforce the ban on cigarette sales to people aged under 18.

Proposed bans on smoking in gaming and licensed venues

The Victorian Parliament has passed legislation to enable a total ban on smoking in enclosed licensed premises from 1 July 2007. Before this date, partial smoking restrictions still apply in gaming and licensed venues such as casinos.

Current smoking restrictions affect all venues that have gaming machines.

- In single room gaming venues, the 'gaming machine area' must be smoke-free. Other areas within the single room (such as a bar) are not required to be smoke-free.
- In gaming venues with two rooms, the entire gaming room must be smoke-free.
- In gaming venues with three or more operating rooms, occupiers are required to designate one operating room, in addition to their gaming room, as smoke-free.

Smoking restrictions in Crown Casino

Current restrictions prohibit smoking in the Crown Casino, with the exception of certain public bar areas, 'high roller' rooms and TAB areas specifically exempted by the Minister for Health.

Penalties for breaching tobacco laws

Individuals who smoke in a prohibited area may receive a \$104 infringement notice or a fine of up to \$524 if an offence is proven in court.

Occupiers (a person aged over 16 years of age who is in control of the area or premises) may also face similar penalties if they allow smoking or fail to display acceptable No Smoking signage.

Larger penalties apply for:

- Selling tobacco products to people aged under 18 years
- Unlawful display or advertising of tobacco products
- Displaying or selling tobacco products at underage 'music/dance' events
- Placing a vending machine in an unlawful area.

Enforcing the law

Local councils undertake the majority of the enforcement of the tobacco laws. Victoria Police, authorised transport officers and WorkSafe Victoria also have enforcement roles.

Where to get help

- Department of Health Tobacco Information Line 1300 136 775
- Your local council

Things to remember

- Nearly 5000 Victorians die each year from tobacco-related illness.
- New laws ban smoking in most enclosed workplaces, in covered public transport areas and at underage music and dance events from 1 March 2006.
- Smoking will be banned in licensed premises from 1 July 2007.

This page has been produced in consultation with, and approved by:

Department of Health - Drugs and Poisons Regulation

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