



*Your Well-being, Our Priority.*

# **FOOD AND DRUGS AUTHORITY**

## **SPECIFICATIONS FOR DESIGNATED SMOKING AREAS**

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## 1 INTRODUCTION

The Public Health Act, 2012 (Part VI, Section 58) and the Tobacco Control Regulations, 2016 (L.I.2247), prohibits smoking in public places and work places. The objective for this law is to protect workers and the public from being exposed to the harmful effects of second-hand smoke. Second-hand tobacco smoke is a combination of the smoke from the end of a burning cigarette or other tobacco product and the smoke exhaled by the smoker. However, managers of public places and work places may designate an area for smoking of tobacco or tobacco product.

**This guideline is hereby promulgated for information, guidance and strict adherence by all concerned.**

### 1.1 SCOPE

This guideline is to provide owners or managers of public areas or work place with specifications of designated smoking areas.

## 2 GLOSSARY

- a) **“Designated area”** means an area set aside for smoking in a workplace or a public place specified under section 58 (2) of the Public Health Act, 2012 (Act 851) and designed in a manner to prevent smoke from spreading to a non-smoking area.
- b) **“Indoor or enclosed”** means a space covered by a roof or enclosed by two or more walls or partition regardless of the material used for the roof, walls or partition and regardless of whether the structure is temporary or permanent.
- c) **“Outdoor” or “open”** means a space that is not “indoor” or “enclosed”

## 3 REQUIREMENT

An area designated as a smoking area for workplace or public place shall conform to the following requirements:

1. Be an indoor or outdoor area, that is designed and positioned in a manner to prevent smoke from spreading to any non-smoking area; and
2. Not be used for any other activity involving non – smokers (eg serving of food and drinks
3. A designated outdoor smoking area shall:
  - a) not be adjacent to an entrance to the premises; or
  - b) be located in an area that does not allow smoke to seep into a non-smoking area; and
  - c) not be adjacent to walkways and other areas where persons generally congregate or walk.

4. Where the nature of the premises does not allow for an outdoor or open area to be designated for smoking, an area for smoking may be designated within an enclosed building or space on the premises.
5. An area designated for smoking within an enclosed building or space shall
  - a) Have floor-to-ceiling walls or sides and a ceiling or roof that completely separates it from all other areas of the enclosed building or space;
  - b) Have a window that opens only to the outside and an air vent that opens directly to the outside;
  - c) Solid walls and ceiling and a closable door;
  - d) Walls tightly joining floor and ceiling;
  - e) A heating, air conditioning and ventilation system that exhausts directly to the outdoors without recirculation to non-smoking areas; and
  - f) Not be an area that may be passed through to get to any other area of the enclosed building or space.
6. Where the requirements of sub-regulation (5) cannot be met for an area designated for smoking inside an enclosed workplace or public place, including a means of public transportation the entire indoor or enclosed public place or workplace shall be declared smoke-free.
7. The manager shall ensure that a designated smoking area
  - a. shall be clearly marked as a designated smoking area
  - b. shall be equipped with ashtrays or non-combustible receptacles for disposal of tobacco waste

## 4 APPENDIX

### 4.1 Change History

SN	Date	Ver. No.	Description of Change (section)
1.	01/02/2013	00	Initial issue
2.	10/04/2017	01	Review to conform to tobacco control regulations 2016, (L. I. 2247)
3.	01/10/2019	02	General review of guidelines