Smokefree Progress: An Overview of Smokefree Laws Around the World

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1. Best Practice – 100% smokefree

Best practice in smokefree means going 100% smokefree. Smoking is not permitted in enclosed or substantially enclosed workplaces, public places, public transport and bars and restaurants. Smoking rooms are not allowed. The countries, cities and states listed below are 100% smokefree, and are examples of best practice.

Please note that most 100% smokefree legislation allows for a limited number of exemptions, such as prisons, a certain percentage of hotel rooms, nursing homes and psychiatric hospitals, and the exemptions vary between countries. The definition of ‘enclosed’ also varies. Please refer to the legislation for each country, state or city.

The countries, states and cities that are currently 100% smokefree are listed in this section.

### Best practice is 100% smokefree

- Workplaces
- Public places
- Public transport
- Bars and restaurants
- Smoking rooms not allowed

### 100% smokefree

- Ireland
- Scotland
- Wales
- Northern Ireland
- England
- New Zealand
- Uruguay
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- USA – States and Cities
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### Ireland

![Ireland flag](image)

**Smokefree status – 100% smokefree**

- Workplaces
- Public places
- Public transport
- Bars and restaurants
- Smoking rooms not allowed

### Overview

Smokefree legislation was enacted in the Republic of Ireland on **29 March 2004**, making it the first country in the world to become 100% smokefree. Smoking is prohibited in enclosed or more than 50% enclosed public places and workplaces (including all bars, cafés and restaurants). The main purpose of the Smokefree at Work legislation is to protect workers and the general public from...
exposure to secondhand smoke. On the third anniversary of the legislation, the Health Minister launched a report showing that compliance averaged 95% during 2006. Click to read more http://www.otc.ie/article.asp?article=358

**Legislation**

**Implementation and follow-up data**
A study of Dublin pubs has found that there has been an 83% reduction in airborne particulate matter since smokefree legislation was introduced, resulting in improvement in the respiratory health of bar workers.
http://ajrccm.atsjournals.org/cgi/content/abstract/175/8/840

The latest annual report from the Office of Tobacco Control shows that 95% of businesses have complied with smokefree legislation
http://www.otc.ie

One-year review of smokefree workplaces

Research article: Reductions in tobacco smoke pollution and increases in support for smoke-free public places following the implementation of comprehensive smoke-free workplace legislation in the Republic of Ireland: findings from the ITC Ireland/UK Survey. GT Fong et al. *Tobacco Control* 2006;15(suppl_3):iii51-iii58
http://tc.bmj.com/cgi/content/full/15/suppl_3/iii51

Implementing the smoking ban (Department of Health)

Guidance for employers and managers (includes model smokefree workplace policy and model signage)
http://www.otc.ie/article.asp?article=179

**Success story**
To read about the successful campaign to introduce smokefree legislation to Ireland, visit

**Other resources**
Office of Tobacco Control www.otc.ie

**Scotland (UK)**

Smokefree status – 100% smokefree
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
√ Smoking rooms not allowed

**Overview**
Smokefree legislation was enacted in Scotland on **26 March 2006**, making it the first part of the UK to become 100% smokefree. The Smoking, Health and Social Care Act (2005) is aimed at protecting the general public from exposure to secondhand smoke at work and in public, and prohibits smoking in enclosed or wholly enclosed public places and workplaces. Scotland has the highest rates of smoking in the UK - approximately 28% of all adults are smokers. On the first anniversary of smokefree legislation, there were calls for it to be extended to cars and outside areas, in order to protect children and young people.

http://www.scottish.parliament.uk/business/officialReports/meetingsParliament/or-07/sor0329-02.htm#Col33759

**Legislation**
Smoking, Health and Social Care (Scotland) Act 2005

Smoking, Health and Social Care (Scotland) Act 2005 – Regulations
http://www.opsi.gov.uk/si/si2006/20061115.htm

**Implementation and follow-up data**
Smokefree legislation has been hailed a success a year after being introduced. Poll results published in May 2007 showed that 85% of people supported the ban on smoking in enclosed public places. This percentage is significantly higher than in earlier polls. In addition, 91% of people said they would support a ban on smoking near children. It is estimated that more than 46,000 people quit smoking in 2006.

Scottish Executive
http://www.holyrood.com/content/view/458/23/
http://www.scotland.gov.uk/News/Releases/2007/03/23130308

ASH Scotland
http://www.ashscotland.org.uk/ash/ash_display.jsp?pContentID=5363&p_applc=CCC&p_service=Content.show&

BBC News
http://news.bbc.co.uk/1/hi/scotland/6491471.stm

National data on compliance with smokefree legislation

A study has found that the health of bar workers in Scotland improved dramatically after the introduction of smokefree legislation in March 2006.

Press release
Overview
Wales followed Scotland to become the second smokefree country in the UK on 2 April 2007. The Smoke-free Premises etc (Wales) Regulations 2007 was published by the National Assembly for Wales on 28 November 2006. The comprehensive legislation prohibits smoking in enclosed public places and workplaces. To read more visit: http://www.smokingbanwales.co.uk

Legislation
The Smoke-free Premises etc (Wales) Regulations 2007
http://www.smokingbanwales.co.uk/english/download.php?pub=938.4

Implementation
Guidance and signage
http://www.smokingbanwales.co.uk/english/index.php?nID=21
Other resources
http://www.smokingbanwales.co.uk/english/index.php?nID=8

Overview
Northern Ireland became 100% smokefree on 30 April 2007. Following the introduction of smokefree legislation in the Republic of Ireland in 2004, the entire island of Ireland is now 100% smokefree. The Smoking (Northern Ireland) Order 2006 prohibits smoking in enclosed and substantially enclosed public places, workplaces and some vehicles. To read more, visit: http://www.spacetobreathe.org.uk/article.asp?aid=173

Legislation
The Smoking (Northern Ireland) Order 2006

Guidance on smokefree legislation
Implementation
Signage

Other resources
Space to breathe for Northern Ireland
http://www.spacetobreathe.org.uk/

To read about the campaign for smokefree legislation in Northern Ireland, visit:

England (UK)

Smokefree status – 100% smokefree
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
√ Smoking rooms not allowed

Overview
England became smokefree on 1 July 2007. On this date the entire UK became smokefree, making it the world’s most populated smokefree jurisdiction. Smoking is prohibited in enclosed public places and workplaces. An attempt to exempt some pubs and private clubs failed before the legislation was passed, allowing England to become 100% smokefree.

To read more visit the Smokefree England website http://www.smokefreeengland.co.uk/
**Legislation**
The Smoke-free (Premises and Enforcement) Regulations 2006
http://www.opsi.gov.uk/si/si2006/20063368.htm

**Implementation**
‘Everything you need to prepare for the new smokefree law’ booklet (PDF)
http://www.smokefreeengland.co.uk/files/everything_u_need_new_sf_law.pdf

Smokefree England – Myths and Realities
http://www.smokefreeaction.org.uk/

**Other resources**
Read about the campaign for smokefree legislation in England

Smokefree Action
http://smokefree.ash.positive-dedicated.net/index.html

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**New Zealand**

![New Zealand flag](image)

**Smokefree status – 100% smokefree**
- Workplaces
- Public places
- Public transport
- Bars and restaurants
- Smoking rooms not allowed

**Overview**
New Zealand became 100% smokefree in 2004. The Smokefree Environments Amendment Act 2003 prohibited smoking in schools and early childhood centres from 1 January 2004. From 10 December 2004 all indoor workplaces and hospitality centres (including bars, restaurants, cafés and casinos) became smokefree.
**Legislation**
Overview of the 2003 smokefree law changes
http://www.moh.govt.nz/moh.nsf/wpg_Index/About-smokefreelaw-about-overview

Provisions of the smokefree law
http://www.moh.govt.nz/moh.nsf/wpg_Index/About-smokefreelaw-about-when

The Smokefree Environments Amendment Act 2003
http://www.parliament.nz/en-NZ/PB/Legislation/Bills/5/b/8/5b87a14cf5dd4198a43e2e6634cc970f.htm

**Implementation and follow-up data**
A report from the New Zealand Ministry of Health shows that nine out of ten people in the country support the right to live and work in a smokefree environment. The study was carried out by the University of Otago, University of Auckland, and the Health Sponsorship Council to evaluate the effects of the Smokefree Environments Amendment Act in 2003. To read the report ‘After the Smoke Had Cleared: Evaluation of the Impact of a New Smokefree Law’, visit:

A 12-month report (December 2005) by the Asthma and Respiratory Foundation of New Zealand is also available. To read Aotearoa New Zealand Smokefree Workplaces, visit:

**Other resources**
Smokefree law in New Zealand
http://www.moh.govt.nz/smokefreelaw

**Uruguay**

Smokefree status – 100% smokefree
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
√ Smoking rooms not allowed

**Overview**
Uruguay became the first 100% smokefree country in the Americas when the decree on smokefree took effect on 1 March 2006. Smoking is prohibited in indoor private and public workplaces, including bars, cafés and restaurants. The campaign for smokefree regulations gained strength when the National Alliance for Tobacco Control was formed in 2000. It received a further boost when Dr
Tabaré Vazquez became President of Uruguay in 2005 and made tobacco control a national priority. In 2006, Dr Vazquez received an exceptional joint award from the Global Smokefree Partnership, the Framework Convention Alliance, and the Campaign for Tobacco Free Kids for his leadership in making Uruguay smokefree. [http://www.globalsmokefreepartnership.org/events.php?id=184]

**Legislation**
2004 Decree on smoking in health facilities

2005 Decree on smoking in public offices

2006 Decree on smoking in public and private workplaces

**Implementation and follow-up data**
An opinion poll has found that eight out of ten Uruguayans support smokefree legislation. Support among smokers is high. For more information, visit:

**Success story**
To read about the campaign to make Uruguay 100% smokefree, visit:

**Other resources**
Smokefree Uruguay Campaign: Public information video (Microsoft media, 743KB)

Smokefree Americas
[www.smokefreeamericas.org/](http://www.smokefreeamericas.org/)

**Bermuda**

Smokefree status – 100% smokefree
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
✓ Smoking rooms not allowed
Overview
Bermuda, an overseas territory of the UK, became 100% smokefree on 1 April 2006. The Tobacco Products (Public Health) Amendment Act 2005 is a wide-ranging piece of legislation that outlaws smoking in enclosed public places and workplaces including bars, restaurants, private clubs, hotels, and business vehicles. It also bans vending machines, limits advertising, and makes it illegal to sell tobacco to anyone under 18. Much of lobbying of the government and the public for smokefree legislation came from the local advocacy group, Bermuda Advocates for Non-Smoking (BANS).

Legislation
Tobacco Products (Public Health) Amendment Act 2005
http://www.globalsmokefreepartnership.org/files/evidence/1.DOC

Implementation and follow-up data
Tobacco Control Action Plan: a Public Health Strategy
http://www.globalsmokefreepartnership.org/files/evidence/2.doc

Success story
To read about the introduction of smokefree legislation in Bermuda, visit:
http://www.globalsmokefreepartnership.org/evidence.php?id=17

USA - States and Cities

US States
Smokefree status – 100% smokefree
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
√ Smoking rooms not allowed

The following US States and territories are 100% smokefree: Arizona, Delaware, District of Columbia, Hawaii, Massachusetts, Minnesota, New York, Ohio, Rhode Island, Washington, Puerto Rico (unincorporated US territory).

Illinois will become smokefree on 1 January 2008 and Maryland will become smokefree on 1 February 2008. Oregon and Utah will become smokefree on 1 January 2009, and Montana on 1 October 2009 (see 100% smokefree future section for more information).

Several other US states have smokefree laws with exemptions (see Smokefree with exemptions section for more information).
In addition to New York City, many US cities have introduced smokefree legislation preventing smoking in workplaces and public places. More details can be found at the American Nonsmokers’ Rights Foundation: http://www.no-smoke.org/pdf/100ordlist.pdf

**Resources**
Smokefree lists, maps and data, Americans for Nonsmokers’ Rights (ANR)
http://www.no-smoke.org/goingsmokefree.php?id=519

US Map of 100% smokefree laws (ANR)
http://www.no-smoke.org/pdf/100Map.pdf

US State by state summary of smokefree legislation (ANR)
http://www.no-smoke.org/pdf/percentstatepops.pdf

Smokefree Americas (Pan American Health Organization)
www.smokefreeamericas.org/

**Profile: New York City and New York State**

**Smokefree status – 100% smokefree**
- √ Workplaces
- √ Public places
- √ Public transport
- √ Bars and restaurants
- √ Smoking rooms not allowed

**Overview**
New York City became 100% smokefree on **30 March 2003**. New York City (NYC) had passed a Smoke-Free Air Act in 1995 that prohibited smoking in many workplaces. However, it included several exemptions, so that smoking was allowed in places such as stand-alone bars and small restaurants. In 2002 a partnership between the New York City Mayor, Michael Bloomberg, and the Head of the Department of Health and Mental Hygiene, Thomas R Frieden, led to a revision of the Act. The Smoke-Free Air Act (2002) closed the loopholes, so that virtually all workplaces became smokefree.

The New York State Clean Indoor Air Act (2003) came into effect on 24 July 2003. This law is more stringent, in that it allows for fewer exemptions than the NYC Smoke-Free Air Act. So the State-wide law voided some of the exemptions in the NYC Act, such as designated smoking rooms.
(DSRs).

**Legislation**
New York City Smoke-Free Air Act, Chapter 5, Title 17 (amended 30 December 2002; effective 30 March 2003)

New York City Smokefree Regulations

New York State Clean Indoor Air Act (CIAA) 2003
http://www.health.state.ny.us/nysdoh/clean_indoor_air_act/index.htm

**Implementation and follow-up data**
Information for NYC business owners and employers (updated December 2006)

Implementation guidance for the Clean Indoor Air Act
http://www.health.state.ny.us/nysdoh/clean_indoor_air_act/ciaa_implementation_guidance.htm

Factsheet: Smokefree workplace laws don’t hurt business (2002)

Sample smokefree workplace policy

The health and economic impact of New York’s Clean Indoor Air Act

**Success story**
To read about the successful campaign to make New York City 100% smokefree, visit:
http://www.globalsmokefreepartnership.org/evidence.php?id=26

**Other resources**
New York City Department of Health and Mental Hygiene

**Canada – Provinces, Territories and Cities**

![Canada flag]

**Smokefree status – 100% smokefree**
✓ Workplaces
✓ Public places
√ Public transport
√ Bars and restaurants
√ Smoking rooms not allowed

Overview
Seven of Canada’s thirteen jurisdictions (provinces and territories) are 100% smokefree – Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec, Northwest Territories and Nunavut.

New Brunswick and Manitoba became the first smokefree jurisdictions in Canada on 1 October 2004, and the most recent was Nova Scotia on 1 December 2006. Smoking is not permitted in enclosed public places or workplaces, and designated smoking rooms are not allowed. The exemptions differ between jurisdictions (for details see the Legislation section below). Nova Scotia’s smokefree legislation is the most comprehensive, with smoking prohibited on bar and restaurant outdoor patios and with four metres of ventilation intakes, entrances, windows and licensed outdoor areas.

British Columbia has recently announced plans to become 100% smokefree from January 2008. Other provinces have limited smokefree legislation, and Yukon has no territorial legislation.

The city of Victoria, British Columbia (BC), became the first 100% smokefree Canadian city in 1999. Ottawa, Ontario became smokefree in 2001. This led to the above provincial governments passing smokefree laws.

Legislation
Summary of provincial and territorial legislation, regulation and policy in Canada (NSRA)
http://www.nsra-adnf.ca/cms/index.cfm?group_id=1461

A comparative analysis of provincial and territorial second-hand smoke legislation/regulations in Canada (NSRA, January 2007)

Best practice in smokefree legislation
http://www.nsra-adnf.ca/cms/index.cfm?group_id=1321

Implementation and follow-up data
The economic impact of smokefree legislation on the hospitality industry (Health Canada)

Success story
To read about the efforts of individuals and organizations in making much of Canada 100% smokefree, visit: http://www.globalsmokefreepartnership.org/evidence.php?id=57

Other resources
Nonsmokers’ Rights Association
http://www.nsra-adlnf.ca/cms/
Opposition to clean air laws (NSRA)
http://www.nsra-adnf.ca/cms/index.cfm?group_id=1463

The smokefree lobby – an advocacy resource (Ontario campaign for action on tobacco)

Australia - States

Smokefree status – 100% smokefree
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
✓ Smoking rooms not allowed

Three Australian states – Queensland, Tasmania, and South Australia – are currently 100% smokefree. New South Wales and Victoria became smokefree with smoking room-related exemptions in July 2007.

Queensland
Queensland became 100% smokefree on 1 July 2006 under the Tobacco and Other Smoking Products Amendment Act 2004. All enclosed workplaces, including restaurants, bars, clubs, outdoor areas where food or drink are served, and sporting stadiums are smokefree. Smoking is also prohibited within 10 metres of childrens’ playgrounds, within 4 metres of entrances to non-residential buildings, and on patrolled beaches. All outdoor areas serving food or drink, or where entertainers are working, must be smokefree. The only outdoor smoking allowed is in designated smoking areas that may not take up more than 50% of the outdoor area.

Tasmania
On 1 January 2006 all indoor (enclosed) public places and workplaces became 100% smokefree. Smoking is also prohibited within within 3 metres of doors and 10 metres of ventilation intake units in non-domestic buildings. At lease half of the tables in an outdoor dining area must be smokefree.

Legislation
Queensland - Tobacco and other smoking products Amendment Act 2004.

Australian smokefree legislation (Australian Government)

Resources
Australian smokefree status (ANR)
South Australia
Most public places and workplaces in South Australia became smokefree under the Tobacco Products Regulation Act 1997. On 1 November 2007 all enclosed public places, workplaces and shared areas (e.g. stairwells) became 100% smokefree. ‘Enclosed’ is defined as the ceiling/roof and wall spaces being at least 70% enclosed. Some campaigners believe that this does not offer adequate protection to bar workers. See Action on Smoking and Health, Australia
http://www.ashaust.org.au/SF’03/partly.htm

Resources
Government of South Australia website

Argentina – Provinces and cities

People in Argentina smoke more tobacco than in any other country in South America. In April 2007 the city of Bahia Blanca became 100% smokefree after two years of intense debate between legislators, health professionals and the hospitality industry. Two provinces in Argentina, Santa Fé and Tucumán, are also 100% smokefree.

Resources
Campaign at Bahia Blanca Plaza Shopping (Spanish language)
http://www.bahiablancaplazashopping.com/airepuro-inicio.asp

Ordinance N°14.254 (Spanish language)
2. 100% smokefree future

The countries, states and cities listed here will be introducing 100% smokefree legislation in the coming weeks, months and years. Hong Kong and some US states already have smokefree legislation, but are phasing in new restrictions over a few years.

**Hong Kong** (Special Administrative Region of the People’s Republic of China)

Smokefree status – 100% smokefree soon
- Workplaces
- Public places
- Public transport
- Bars and restaurants
- Smoking rooms not allowed

Overview
Hong Kong will become 100% smokefree on 1 July 2009. The Legislative Council of Hong Kong Special Administrative Region approved the smokefree legislation in October 2006, and it came into effect on 1 January 2007. It prohibits smoking in most enclosed public places and workplaces, including restaurants, karaoke bars, public swimming pools and beaches. However, six categories of ‘qualified establishments’ are allowed to delay implementing the legislation until July 2009. These include bars, nightclubs, bathhouses and massage establishments. Click here to read more [http://www.smokefree.hk/cosh/ccs/detail.xml?lang=en&fldrid=225](http://www.smokefree.hk/cosh/ccs/detail.xml?lang=en&fldrid=225)

Legislation
Smoking (Public Health) (Amendment) Bill 2005

100% smokefree soon

**Hong Kong**
USA – Utah, Montana
Canada – British Columbia
**Other resources**
Hong Council on Smoking and Health

**Smokefree States**

**Smokefree status – 100% smokefree soon**

- √ Workplaces
- √ Public places
- √ Public transport
- √ Bars and restaurants
- √ Smoking rooms not allowed

**USA**

**Utah** introduced smokefree legislation on 1 May 2006. It covers most enclosed public places and workplaces, but some bars and private clubs will be exempt until **1 January 2009**, when Utah will become 100% smokefree.

**Resources**
Tobacco Free Utah
http://www.tobaccofreeutah.org/thinking.html

2006 Utah Indoor Clean Air Act Amendments.
http://www.tobaccofreeutah.org/2006uicaa.html

**Montana** introduced smokefree legislation on 1 October 2005, making more than 90% of all enclosed public buildings and workplaces smokefree. Some bars and casinos are exempt until **1 October 2009** when Montana will become 100% smokefree.

**Resources**
Smokefree Montana
http://www.smokefreemontana.org/

**Illinois** passed 100% smokefree legislation in July 2007 and the law takes effect on 1 January 2008.

**Resources**
Smoke-Free Illinois
http://www.smokefreeillinois.org/

**Maryland** passed 100% smokefree legislation in May 2007 and the law takes full effect on 1 February 2008.

**Resources**
Clean Indoor Air Act of 2007
http://mlis.state.md.us/2007rs/billfile/SB0091.htm
Oregon passed 100% smokefree legislation in June 2007 and the law takes effect on 1 January 2009.

Resources
Oregon Department of Human Services

Canada

British Columbia will become 100% smokefree in 2008, following an announcement by the Premier of BC on 5 November 2006. Smoking will be prohibited in all indoor public places and workplaces, including restaurants and bars. Smoking rooms will not be allowed.

Resources
Clean Air Coalition of B.C.
http://www.cleanaircoalitionbc.com/
3. Smokefree with exemptions

This section lists the countries, states and cities that have smokefree legislation, but allow exemptions of varying degrees.

Some countries have legislation that prohibits smoking in public places, workplaces, public transport, and bars and restaurants, but allow designated smoking rooms (DSRs) to be set up. These are usually separate, ventilated to the outside, and do not require non-smokers to pass through. The countries, states and cities that currently allow or will in future allow designated smoking rooms are listed below.

Other countries, states and cities have smokefree legislation with other exemptions that make it less comprehensive. For example, smoking may be permitted in restaurants of less than a certain area, or in high-rolling rooms of casinos or on public transport. Or smoking may be prohibited in all restaurants and bars, but not in all workplaces. Countries with many exemptions have not been included here. Please refer to the legislation for each country, state or city. Places that currently have such exemptions or will do in the future are listed below.
3. Smokefree but designated smoking rooms allowed (current legislation)

South Africa

Smokefree status – smokefree, but designated smoking rooms allowed

Overview
South Africa introduced smokefree legislation in 1993 preventing smoking in enclosed public places and workplaces. It was strengthened via an amendment in 1999 and 2007, though designated smoking areas are still allowed.

Legislation
Tobacco Products Control Amendment Act of 1999

Tobacco Products Control Amendments Bill, 2006


Uganda

Smokefree status – smokefree, but smoking rooms allowed
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
X But smoking rooms are allowed
Overview
Uganda was one of the first countries to introduce smokefree legislation, which came into effect on 12 March 2004. It was developed following a public interest lawsuit in 2001 which declared secondhand smoke a violation of the right to life and the right to a clean and healthy environment. Smoking is prohibited in enclosed public places and workplaces, including bars and restaurants. However, smoking is allowed in designated smoking rooms which are separate, fully enclosed and ventilated to the outside of a building. This exemption has encouraged non-compliance with the law, which is not widely observed.

Legislation
The National Environment (Prohibition of Smoking in Public Places) Regulations 2003
http://gallery.globalink.org/v/members/tumwine/Uganda_s+smokefree+regulations.doc.html

Implementation and follow-up data
Read about the challenges of implementing Uganda’s smokefree law

Other resources
Jackie Tumwine’s blog (Executive Director, Health and Environmental Rights Organisation)
http://blogs.globalink.org/category/197/blogid/381

Norway

Smokefree status – smokefree, but smoking rooms allowed
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
X But smoking rooms are allowed

Overview
Comprehensive smokefree legislation came into effect in Norway on 1 June 2004. Smokefree legislation had first been introduced across Norway as long ago as 1988, covering public places and workplaces. However, it allowed for separate smoking areas in restaurants and bars, making the law difficult to implement. The law was revised in 2004 and now covers public premises and transport, workplaces and institutions where two or more people are gathered, and establishments serving food and/or drink. However, designated smoking rooms (DSRs) are allowed in some workplaces.

Legislation
Act No.14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco (including amendments effective from 1 June 2004)
http://odin.dep.no/hod/engelsk/regelverk/p20042245/042041-990030/dok-bn.html
Implementation and follow-up

Other resources
ENSP legislation summary, including information on Norway http://www.ensp.org/files/legislation_on_smokefree_workplaces_oct2006.pdf

Italy

Smokefree status – smokefree, but smoking rooms allowed
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
X But smoking rooms are allowed

Overview
Smokefree legislation came into effect in Italy on 10 January 2005. The legislation had been passed two years earlier, in January 2003, before legislation in Ireland and Norway. Part of the delay was because the law allowed for designated smoking rooms (DSRs), and it took time to define a smoking room and decide on the sanctions for non-compliance with the law. Restaurant, bar, and club owners were also given one year to make the necessary changes in order to comply with the legislation.

DSRs must be completely enclosed and ventilated, with an automatically closing door. Non-smokers must not be obliged to pass through the smoking room. DSRs must take up no more than 50% of the total area of the restaurant, bar, or club.

Legislation


Implementation and follow-up data
A study published in March 2007 found that a drop in smoking prevalence and consumption since 2004 in Italy is partly due to the introduction of smokefree legislation, particularly for young people.

Abstract available online at

Italian smokefree signage

Success story
To read about the successful campaign to introduce smokefree legislation to Italy, visit:

Other resources
The smoking ban: what lessons from Italy? Article by Marco Pisaro, 2006
http://www.scottishcouncilfoundation.org/page.php?id=24

Information on the smoking ban in Italy (Italian language)
http://www.epicentro.iss.it/temi/fumo/fumo.asp

Sweden

Smokefree status – smokefree, but smoking rooms allowed
√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
X But smoking rooms are allowed

Overview
All public places and workplaces in Sweden, including restaurants, bars, cafés and nightclubs became smokefree on 1 June 2005. The new law improved on the Tobacco Act of 1994 by allowing for smokefree environments in all establishments that serve food. Restaurants and bars are allowed to set up designated smoking rooms (DSRs). These can only take up a small portion of the premises, must be ventilated, and non-smokers must not be forced to pass through them. No food may be served or taken into the DSRs. Very few DSRs have been set up to date.

Legislation
Having initially favoured a voluntary agreement on smokefree environments, the Swedish government concluded in 2003 that legislation was needed in order to achieve this within a reasonable timeframe. The 1994 Tobacco Act was updated and passed by the Swedish parliament on 12 May 2004, before coming into effect on 1 June 2005.

To read more about Sweden’s legislation, visit:
http://www.sweden.gov.se/sb/d/5628/a/45113;jsessionid=aC6xPKDF95W4
Implementation and follow-up data
A study, funded by the National Institute of Public Health found that Swedish smokefree legislation has improved workers’ health. To access the study, visit:
http://www.tobaksfakta.org/default.aspx?id=4105

Success story
To read about the successful campaign to introduce smokefree legislation to Sweden, visit:
http://www.globalsmokefreepartnership.org/evidence.php?id=18

Other resources
Tobaksfakta – information on Swedish tobacco control (English language version)

Malta

Smokefree status – smokefree, but smoking rooms allowed
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
X But smoking rooms are allowed

Overview
Smokefree legislation came into effect in Malta on 5 April 2004. It was phased in over a year and by 5 October 2005, smoking was prohibited in any enclosed private or public premises open to the public. This includes workplaces. However, designated smoking rooms (DSRs) are allowed in bars, restaurants and workplaces. Bars and restaurants with an area of more than 60 square metres have to become smokefree or have a DSR. The DSR should be separate and fully enclosed, and not require non-smokers to pass through it.

Legislation
The Tobacco (Smoking Control) Act (CAP. 315) Smoking in Premises Open to the Public Regulations, 2004 (Maltese and English)

Other resources
ENSP legislation summary, including information on Malta
Iceland

Smokefree status – smokefree, but smoking rooms allowed

√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
X But smoking rooms are allowed

Overview
Iceland has legislation preventing smoking in workplaces (Tobacco Control Act 2002 No 6 31 Jan), though designated ventilated smoking rooms are allowed. Separate smoking areas were previously allowed in restaurants and bars, but from 1 June 2007, smoking was completely prohibited in restaurants, bars, cafes, pubs and nightclubs.

Legislation
Tobacco Control Act 2002 No 6 31 Jan (translated 17/9/04): does not include revisions
http://eng.heilbrigdisraduneyti.is/media/Reglugerdir-enska/Tobacco_Control_Act_revised_2003.pdf

Resources
ENSP legislation summary, including information on Iceland

Canada – Quebec
The Canadian province of Quebec amended its smokefree laws on 31 May 2006 to include all public places, including restaurants, bars, brasseries, taverns and bingo halls. However, businesses may set up and operate enclosed and separately ventilated smoking rooms until 30 May 2008.

Slovenia

Smokefree status – smokefree, but smoking rooms allowed

√ Workplaces
√ Public places
√ Public transport
√ Bars and restaurants
X But smoking rooms are allowed
Overview
Slovenia has restricted the use of tobacco products since 1996, with a complete ban on smoking in public places (health institutions, schools, milk bars and ice cream shops, governmental premises intended for clients), and smoking restrictions in workplaces and restaurants.

A new tobacco legislation bill was proposed by the Slovenian Ministry of Health on 3 January 2007 and entered into force on 5 August 2007. Although the bill completely bans smoking in all enclosed workplaces and public places/areas, including hospitality industry premises, bars, and restaurants, it also introduces the idea of smoking rooms/cabins, which can be installed in workplaces and some public institutions, and are to be reserved for smoking, with no eating or drinking allowed inside. Exemptions are also in place for mental hospitals, hotel rooms, and prison cells. Under the new legislation, if a restaurant or pub does not have a proper smoking room, customers will have to go outside to light up or face a fine of 125 Euro (approximately US $170.00) for smoking indoors.

Legislation
The Act Amending the Restriction of the Use of Tobacco Products Act (Official Gazette of the Republic of Slovenia 60/2007)
Frequently Asked Questions
Additional Information

Resources
ENSP legislation summary, including information on Slovenia
A law in the making in Slovenia (Powerpoint presentation)
http://www.smokefreepartnerhsip.eu/IMG/ppt/VesnaPetric.ppt
Tobacco Control Legal Consortium
http://tclconline.org/documents/LegalUpdate_Aug07.pdf

Smokefree but designated smoking rooms allowed (future legislation)

France

Smokefree status – smokefree, but smoking rooms allowed
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
But smoking rooms are allowed

**Overview**
Smokefree legislation came into effect in France on 1 February 2007. Workplaces, including offices, schools, stores and hospitals, are now smokefree, but bars, night clubs and restaurants have been given a deadline of **1 February 2008** to become smokefree. Designated smoking rooms will be allowed in cafes and restaurants without any services.

**Legislation**
Details of smokefree regulations (France Official Journal 16 November 2006, French language)

ENSP legislation summary, including information on France

**Finland**

Smokefree status – smokefree, but smoking rooms allowed
✓ Workplaces
✓ Public places
✓ Public transport
✓ Bars and restaurants
X But smoking rooms are allowed

**Overview**
Smokefree legislation was first introduced to Finland in 1977, prohibiting smoking in most enclosed public places, public transport and schools. Since 2003, compulsory smokefree areas have been introduced in restaurants and bars. From June 2007, smoking will be prohibited in bars and restaurants. However, designated smoking rooms (DSRs) will be allowed. There will be a two-year transition period to allow bars and restaurants that have arranged smoking areas to make the necessary arrangements so that tobacco smoke does not spread to smokefree areas. Finland will therefore become smokefree in **June 2009**.

**Resources**
Action on Smoking and Health Finland

ENSP legislation summary, including information on Finland
Smokefree with other exemptions (current legislation)

Lithuania

Smokefree status – smokefree, but cigar and pipe clubs allowed

Overview
Lithuania introduced smokefree legislation on 1 January 2007, a year earlier than had originally been announced. Smoking in prohibited in enclosed public places and workplaces, including bars, restaurants, cafés and clubs. Designated smoking rooms are not allowed, but workplace smoking rooms are allowed. Cigar and pipe clubs are exempt from the legislation. For more information on Lithuania’s legislation, visit: http://www.globalsmokefreepartnership.org/news.php?id=162

Resources
ENSP legislation summary, including information on Lithuania

Spain

Smokefree status – smokefree, but exemptions for restaurants and bars

Overview
Smokefree legislation came into effect in Spain on 1 January 2006. It prohibited smoking in enclosed public places and workplaces, but allowed exemptions for restaurants and bars. Smoking is permitted in restaurants and bars that are under 100m². Smoking is prohibited in bars and restaurants more than 100m², but designated rooms (DSRs) may be set up.

Implementation and follow up
Only 10% of small bars and 15% of small restaurants have opted to go smokefree since smokefree legislation was introduced, according to Spain’s consumer organization. http://www.ocu.org/map/show/19521/src/315354.htm (Spanish language)

Resources
ENSP legislation summary, including information on Spain
US States

Overview
Many US States have smokefree legislation that prohibits smoking one or more of workplaces, restaurants and bars, but not all three. These States are listed below:

Smokefree **restaurants and bars** – California, Colorado, Connecticut, Maine, New Hampshire, New Mexico, Vermont. But not all workplaces are smokefree.
Smokefree **workplaces, bars and restaurants**, but casinos are exempt – New Jersey
Smokefree **workplaces and restaurants**, but not bars – Florida, Louisiana, Nevada
Smokefree **restaurants**, but bars and workplaces are exempt – Idaho
Smokefree **workplaces**, but restaurants and bars are exempt – North Dakota and South Dakota

Resources
US Map of 100% smokefree laws (ANR)
http://www.no-smoke.org/pdf/100Map.pdf

US State by state summary of smokefree legislation (ANR)
http://www.no-smoke.org/pdf/percentstatepops.pdf

California smokefree legislation
http://www.dir.ca.gov/DOSH/dosh_publications/smoking.html

Canadian Provinces and Territories

Overview
Two provinces – Saskatchewan and Newfoundland & Labrador – have 100% smokefree public places, but not workplaces. Although its capital, Victoria, became the first smokefree city in Canada in 1999, British Columbia is not 100% smokefree. However, it has recently announced plans to make public places 100% smokefree from January 2008. Alberta and Prince Edward Island have limited smokefree legislation, and Yukon has no territorial legislation.

Resources
A comparative analysis of provincial and territorial second-hand smoke legislation/regulations in Canada (NSRA, January 2007).

Singapore

Singapore has had smokefree legislation since 1970, but has strengthened it in recent years. Smoking is prohibited in air-conditioned workplaces and restaurants, sports stadiums, shopping malls and hawker centres. From 1 July 2007, smokefree legislation was extended to entertainment outlets. Designated smoking rooms (DSRs) are allowed. For more information, visit:
Australian States

Victoria

Overview
Smoking is currently prohibited in most public places and workplaces, but there are exemptions for restaurants, bars and cafés. From 1 July 2007, all enclosed public places and workplaces became smokefree. However, high roller rooms in casinos are exempt. ‘Enclosed’ is defined as the ceiling/roof and wall spaces being at least 75% enclosed. As with South Australia and New South Wales, some campaigners believe that this does not offer adequate protection to bar workers. See Action on Smoking and Health, Australia http://www.ashaust.org.au/SF03/partly.htm

Resources
Government of Victoria website

New South Wales

Overview
Under the NSW Smoke-free Environment Amendment Act 2004, smokefree legislation was introduce to New South Wales, and phased in over a two-year period. From 2 July 2007, all enclosed public places and workplaces became smokefree. However, private gaming rooms in casinos are exempt. ‘Enclosed’ is defined as the ceiling/roof and wall spaces being at least 75% enclosed. As with South Australia and Victoria, some campaigners believe that this does not offer adequate protection to bar workers. See Action on Smoking and Health, Australia http://www.ashaust.org.au/SF03/partly.htm

Resources
Overview of smokefree legislation (New South Wales Government)
Smokefree Environment Amendment (Enclosed Places) Regulation 2006
Timetable for smokefree legislation

Smokefree with other exemptions (future legislation)

Australian States

Western Australia

Overview
Western Australia strengthened its smokefree legislation on 31 July 2006. Under the Tobacco Products Control Regulations 2006, smoking was prohibited in all enclosed public places. It was already prohibited in workplaces. However, smoking is permitted in an enclosed public space used for a private function, such as a wedding. Smoking is also permitted in the Burswood Casino’s International Room.
Resources
Western Australia Department of Health, Tobacco Control Branch
Tobacco Products Control Regulations 2006

General resources
Green Paper. Towards a Europe free from tobacco smoke: policy options at EU level

Americans for Non-Smokers’ Rights – smokefree lists, maps and data
http://www.no-smoke.org/goingsmokefree.php?id=519

Smokefree Americas
http://www.smokefreeamericas.org/

Lifting the smokescreen: 10 reasons for a smokefree Europe (ERS)