

FIRST PRINT

**OCCUPATIONAL HEALTH AND SAFETY (SMOKE-FREE
INDOOR AIR) AMENDMENT BILL 1993**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

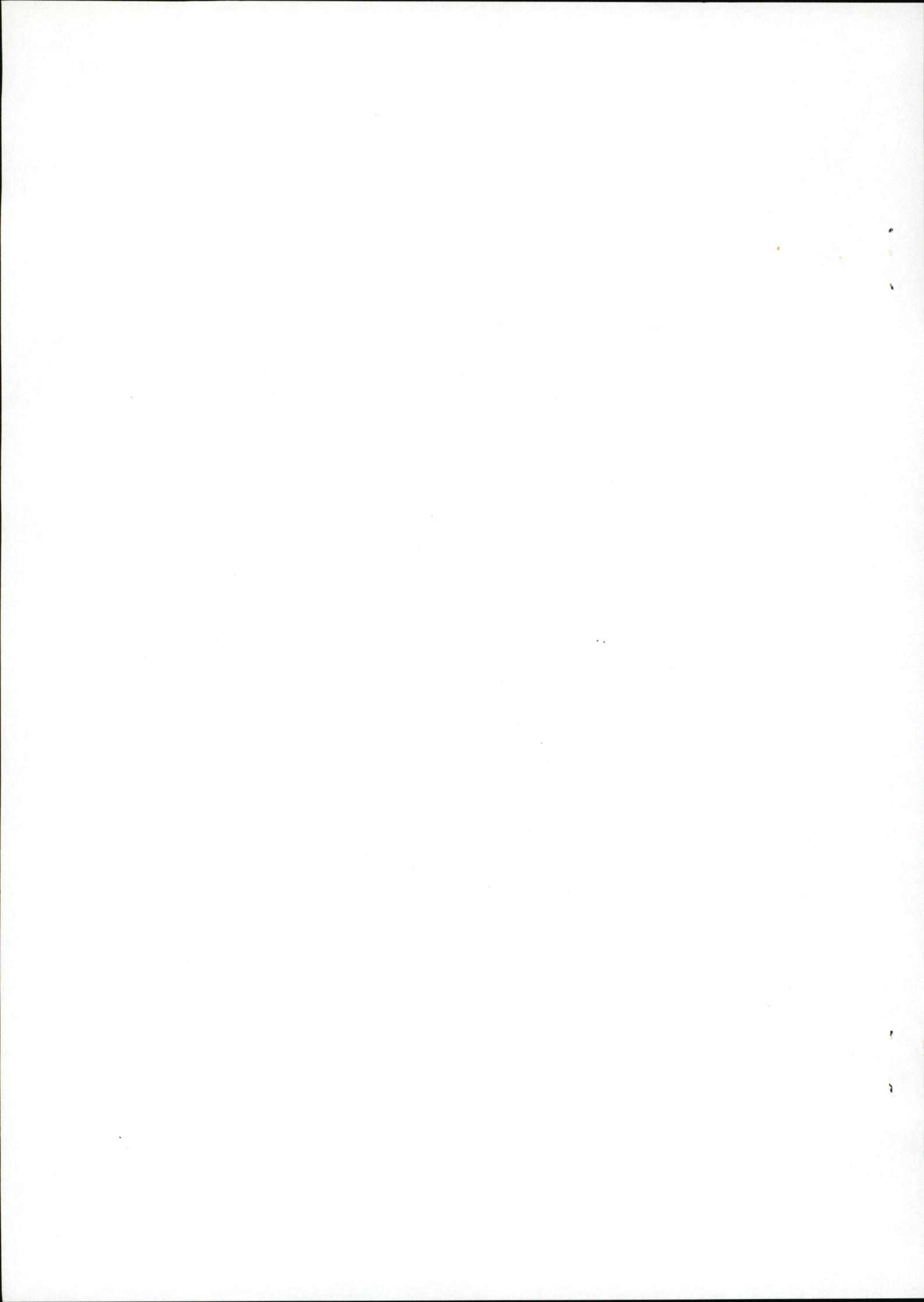
The objects of this Bill are:

- (a) to prohibit smoking in any enclosed place where persons are employed; and
- (b) to impose a duty on employers to take any steps necessary to ensure that no one smokes within any enclosed places of work that are under their control.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for its commencement one year after assent.

Clause 3 amends the Occupational Health and Safety Act 1983 by inserting a new section 21B, the effect of which is described above.



FIRST PRINT

**OCCUPATIONAL HEALTH AND SAFETY (SMOKE-FREE
INDOOR AIR) AMENDMENT BILL 1993**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Occupational Health and Safety Act 1983 No. 20
-

**OCCUPATIONAL HEALTH AND SAFETY (SMOKE-FREE
INDOOR AIR) AMENDMENT BILL 1993**

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to amend the Occupational Health and Safety Act 1983 so as to prohibit smoking in enclosed places of work.

Occupational Health and Safety (Smoke-free Indoor Air) Amendment 1993

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Occupational Health and Safety (Smoke-free Indoor Air) Amendment Act 1993.

5 **Commencement**

2. This Act commences one year after the date of assent.

Amendment of Occupational Health and Safety Act 1983 No. 20

3. The Occupational Health and Safety Act 1983 is amended by inserting after section 21A the following section:

10 **Prohibition of smoking in enclosed places of work**

21B. (1) A person must not smoke in an enclosed place of work.

Maximum penalty: 2 penalty units.

15 (2) Every employer must take such steps as are necessary to ensure that no person smokes within any enclosed place of work under the employer's control.

Maximum penalty: 50 penalty units.

20 (3) In this section, "enclosed place of work" means a place of work where the space between the floor and ceiling of the place is enclosed on all sides by walls, windows, doors, vents or shutters that extend from the floor to the ceiling or roof, whether or not screened by partitions or other structures which do not extend to the ceiling or roof, and includes all the space so contained.
