

International trends towards smoke-free provision (Updated January 2007)

Overview

Currently, eight countries have nation-wide laws in place that prohibit smoking in enclosed workplaces and public places, including bars and restaurants. On 29 March 2004, **Ireland** became the first country in the world to ban smoking in all indoor workplaces. This was followed by **Norway** (June 2004), **New Zealand** (December 2004) and **Bhutan** (March 2005). In 2006, **Uruguay** went smokefree on 1 March followed by **Scotland** on 26 March 2006 and **Singapore** in July. From 1 January 2007, **Lithuania's** smokefree law came into effect. In addition, legislation has been passed in 15 US States (including Washington DC), nine (of 13) Canadian provinces and territories, and seven (of eight) Australian states/territories. Iceland and the rest of the UK will implement laws during 2007.

Malta, Sweden, Italy, and the Canadian provinces of British Columbia and Prince Edward Island ban smoking in workplaces but allow designated smoking rooms in bars and restaurants.

United Kingdom: (Entry updated 4 January 2007)

Smoking control in workplaces and public places is determined by the devolved governments of the United Kingdom. On April 28th 2005, the Scottish Parliament passed the Smoking, Health and Social Care (Scotland) bill which prohibits smoking in all workplaces and public places.

<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050013.htm> **Scotland** became the fifth country in the world to introduce comprehensive smoke-free legislation on 26 March 2006.

England:

In 2004, the Government published proposals to ban smoking in the majority of workplaces with exceptions for private members' clubs and pubs that do not serve food. However, on 14th February 2006, MPs voted by a majority of 200 for the pubs and clubs exemption to be removed from the draft legislation. The bill was passed in July 2006 and is due to enter into force on 1 July 2007. The text of the Bill as introduced into the House of Commons in October 2005 can be viewed at:

<http://www.publications.parliament.uk/pa/cm200506/cmbills/069/2006069.htm>

To view subsequent amendments see listings on the Smokefree Action website:

<http://www.smokefreeaction.org.uk>

Wales:

Wales does not have law-making powers on health and these must be granted by the Westminster government. However, the Welsh Assembly voted in favour of comprehensive smokefree legislation. The necessary powers to implement such legislation were granted under the English Health Bill. The principality will implement totally smoke-free measures on 2 April 2007.

Northern Ireland:

The Minister for Northern Ireland announced that the province will ban smoking in all workplaces including bars and restaurants from 30 April 2007. The regulation will mirror the smoke-free legislation in force in the Republic of Ireland.

Channel Islands - Guernsey (July 2006) and **Jersey** (Jan 2007) have also implemented smoke-free laws.

EUROPEAN REGION (As defined by WHO)

In addition to Ireland, Italy and Norway, most countries have legislation to restrict or ban smoking in public places such as hospitals, schools and government buildings. In the WHO European Region more than 80% of countries have legislation banning or severely restricting smoking in major public places such as health care, educational and government facilities, theatres, cinemas and all forms of public transport.

Finland, Germany and the Netherlands have legislation banning smoking in the workplace but the hospitality industry is excluded.

In places where the public attend out of choice, e.g. restaurants and bars, about half of the countries have legal restrictions. These include: Belgium, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Malta, Poland, Moldova, Romania, Slovakia, Slovenia, Sweden. However, in some countries the laws are not always enforced.

Country details:

Albania

The Albanian government in July 2006 approved a bill of law to ban smoking in public places, such as bars and restaurants. The law is intended to lower the number of smokers in the country, which has one of the highest smoking rates in Europe. The former government had "forgotten" this draft law for several years, but anti-tobacco NGOs had accused the tobacco industry of corrupting the government. The Albanian parliament has also approved a rise in excise duty for tobacco.

Armenia

On March 2 2005 the first phase of a smoking law restricting the sale, consumption and use of tobacco products was enacted, banning smoking in hospitals, cultural and educational institutions, and on public transport. The second phase of the law, which came into effect on 1 March 2006, requires all public and private institutions including bars and restaurants to allow smoking only in separate areas.

Austria

Since 1995, smoking in public places including cinemas, theatres, schools, universities, railway stations and airports has been prohibited. Smoking is also outlawed in schools and school sports grounds, or in other premises used for the education of children. Government buildings at both national and local levels are also smoke-free zones. However, there are no fines for violating this law. Public transport is exempt from the legislation, but non-smoking areas on buses, trains, airplanes and ferries have increased. Fines are given to those who smoke in subways or on trams.

Azerbaijan

Ratified the FCTC on November 2005 and currently has a restricted ban on tobacco advertising, a ban on smoking in education and healthcare facilities and a restricted ban on smoking in public places.

Belarus

A draft smoking bill was prepared in November 2005 and a number of normative Acts were implemented 'regulating activities in tobacco control, on manufacturing, sales advertising, and dedicated places for smoking in buildings'.

Belgium

Under a Royal Decree of January 19 2005, smoking in the workplace was prohibited from January 1 2006, except in specific and ventilated smoking rooms. As of 1 January 2007 the law has been amended to cover restaurants, hotels, trains and train stations, although restaurants and train stations will offer enclosed smoking rooms. Small cafés and 'Friteries' will still allow smoking.

Bulgaria

A law prohibiting smoking in all enclosed public places came into force on 1st January 2005. All nurseries, schools, cinemas, theatres, Internet clubs and city transport (including taxis) are now smoke-free areas. Restaurants catering for more than 60 people are now obliged to provide separate halls for smokers and non-smokers. Smaller cafes are required to install air-conditioning systems.

Croatia

Smokefree legislation applies to all workplaces and in all rooms and closed areas where meetings and gatherings take place. However, organisations are permitted to allow smoking in certain workrooms as long as this does not infringe upon the rights of non-smokers. Smoke-free legislation also applies in health care institutions and on all forms of public transport, including domestic airlines.

Cyprus

Legislation on smoking was reinforced in 1998, 2000 and 2002 and covers now all public transport vehicles, including taxis, as well as private cars that carry passengers below 16 years of age. Smoking is also prohibited in hospitals and health care establishments, in schools and in all public places, including theatres, cinemas, museums, libraries and food premises. Smoking is also prohibited in restaurants, tavernas, cafes and coffee shops, although owners may provide ventilated, designated smoking areas if they wish. In places of work the right of the non-smoker to work in an environment without smoke must be observed and employers are required to put down in writing, after consultations with employees or their representatives, rules and regulations to this effect.

Czech Republic

A partial smoking ban has been in effect since Jan 1 2006 prohibiting smoking in schools, theatres, cinemas, sports halls and state administration offices as well as at bus and tram stops. Restaurants must provide non-smoking areas.

Currently (Jan 2007) ministers are attempting to introduce a law requiring restaurants to have separate smoking and non-smoking rooms.

Denmark

Smoking has been restricted in state-owned governmental premises such as administrative offices, hospitals, day care centres, residential institutions and educational establishments

since 1988. Smoking is also prohibited on premises frequented by children or where food is being prepared for resale. Legislation on smoking in the workplace was introduced in 1996, and under this law smoking is only permitted in specific areas of public buildings, offices, schools, and public transport, if no one will be involuntarily exposed to tobacco smoke. The legislation doesn't apply to workplaces in the private sector, although they are encouraged to make similar provisions. The full text of the Law about Smoke-free Environments on Public Premises, Means of Transportation and the like Law nr.436 of 06/01/1995 is available at: http://apps.nccd.cdc.gov/nations/legislation/TextFiles/Denmark_13.htm

Estonia

On 5 June 2005 a complete ban on smoking was introduced in any enclosed private or public premises open to the public, except in optional, designated, closed and separately ventilated smoking rooms or smoking areas.

Bars, restaurants, coffee shops, nightclubs and other catering establishments will impose a complete ban on smoking on 5 June 2007. In these facilities smoking is to be allowed only in closed special smoking room with separate ventilation.

Smoking is prohibited in pedestrian tunnels, public transport including taxis, public transport shelters and in other places prescribed by legislation.

Finland

Smoking has been prohibited in most indoor public places, on public transport and in schools since the 1977 Tobacco Act was implemented. In 1994, the law was amended to end smoking in school playgrounds. In most workplaces, smoking is only permitted in special smoking rooms or in private offices, and employers are not permitted to establish smoking rooms. As a result many companies are totally smoke-free. Since 2003, smoke-free areas in bars and restaurants are compulsory, and smoking at bar service counters is not permitted.

The Finnish Parliament has unanimously approved a bill that will ban smoking in bars and restaurants from June 2007. However, the Act will allow the provision of smoking rooms that have a separate ventilation system. Drinking, eating, serving and entertainments will be prohibited in the smoking rooms.

There is a transition period of two years for those bars and restaurants that have arranged the smoking areas so that tobacco smoke does not spread to smoke-free areas. For those restaurants the law will become effective in June 2009.

Further information is available on the Finnish ASH website, at: http://www.suomenash.fi/sivu.php?artikkeli_id=416

France

France will ban smoking in most public places from 1 February 2007 and in bars, restaurants, hotels and discotheques in 2008.

The ban will also cover playgrounds, gardens and other exterior spaces. Smoking rooms will no longer be permitted in public buildings including hospitals. Smoking will still be allowed on open platforms in train stations, as well rooms in retirement homes, prisons and hotels.

Currently smoking is restricted in all enclosed public places, and in areas that constitute a place of work. Smoking is also restricted in transit vehicles and in schools. Designated smoking areas may be provided within these premises, so long as priority is given to the protection of non-smokers, and set ventilation standards are respected. In restaurants and bars, there is flexibility regarding the amount of space designated for smoking and non-smoking areas, again so long as priority is given to non-smokers. Smoking is prohibited on all flights of less than two hours operated by national air carriers. Smoking is also prohibited on suburb trains and on the Paris underground.

Germany

German Chancellor Angela Merkel and leaders of the country's 16 states have agreed to draft, by March 2007, proposals for regional legislation to outlaw smoking in restaurants, schools and other public places.

In December 2006 the government approved a smoking ban only for federal-government buildings such as ministries, train stations and job centres. Polls indicate most Germans are in favour of restrictions but some regional leaders are obstructing a more comprehensive national law.

Berlin plans to ban smoking in all public buildings, bars and restaurants in 2007.

Greece

Smoking is prohibited on trains and buses, in hospitals and private clinics, and in a number of enclosed public places belonging to the state. Smoking is also prohibited on all domestic flights. There is no legislation that covers all enclosed public places or workplaces at the current time.

Hungary

Smoking regulations are in place in department stores, food markets, self-service and some other restaurants, canteens, and confectioners, as well as in schools, health establishments and on public transport. The 1993 Labour Safety Act specifies that specific smoking areas must be designated in all workplaces, or that other organisational measures must be in place in order to eliminate the harmful effects of second-hand smoke. Smoke-free areas in restaurants can be "separated" by using ventilation systems.

In December 2004, a public health directorate was established to co-ordinate the implementation of a ten-year public health programme that was adopted by the Parliament in June 2002. Further steps are now being taken to strengthen tobacco control legislation. For example, the Government is aiming for all restaurants to be smoke-free by the year 2010.

Iceland

Smoking will be banned in all public places from 1st June 2007.

Currently smoking is prohibited in primary schools, nurseries, in buildings used for leisure activities by children, in cinemas, and in all areas of public and private institutions that are accessible to the public. Smoking is allowed only in places where it will not inconvenience non-smokers. Restaurants and places of entertainment are required to reserve a certain number of tables for non-smokers. For further information see section III of the Tobacco Control Act no.6/2002, available at:

<http://eng.heilbrigdisraduneyti.is/laws-and-regulations/>

Ireland

On 29th March 2004 Ireland became the first country in the world to ban smoking in all workplaces, including bars and restaurants. Prisons, nursing homes and psychiatric hospitals are exempt from legislation. Further information, including a link to the Public Health (Tobacco) (Amendment) Act 2004, is available from the Office of Tobacco Control website, at: http://www.otc.ie/legislation_national.asp

Israel

Smoking is prohibited in enclosed public places, including cinemas, restaurants, shopping malls, banks, schools, universities, public libraries, post offices, hospitals, lifts and governmental offices. Separate smoking rooms with ventilation may be permitted in some cases. Public transport (buses, taxis, trains) is also covered by smoke-free legislation, as are internal flights and flights of less than two hours. Smoke-free workplace regulations were introduced in 1994, and revised to be more comprehensive in March 2001. Management are allowed to provide smoking areas in consultation with employers.

Italy

Smokefree workplace laws were first passed in Italy in 1975 prohibiting smoking on public transport services and also in hospital wards, school classrooms, closed premises used for public meetings, cinemas and theatres, dance halls, betting shops, academic lecture theatres, museums, libraries and reading rooms open to the public, and art galleries open to the public. Restaurants and bars were exempt from this law.

The Italian Parliament voted to ban smoking in public places in January 2003. Legislation was due to come into force in December 2004. However, the Italian Parliament issued a time delay, and legislation was formally introduced on 10th January 2005 prohibiting smoking in offices, bars, restaurants, hotels, theatres, discos and cafés, unless they have a separate smoking area, amounting to less than half of the total space of the room, with continuous floor-to-ceiling walls, sealed off by an automatic door, and with a separate ventilation system.

The Italian legislation enacted in January 2005 provides for smokefree workplaces, including bars and restaurants, but permits the possibility of designated, closed, sealed-off ventilated smoking rooms (smoke extractors). Businesses face a fine of up to € 2000 if they fail to ensure their customers do not smoke, while smokers themselves could face a € 275 for repeatedly ignoring the rules.

Kyrgyzstan

Smoking is prohibited in health care institutions, transport vehicles and schools (including colleges and universities). Whilst there is currently no legislation in place that prohibits smoking in public places and workplaces, some are smokefree by choice.

Latvia

Health care facilities, educational and cultural facilities, public transport, hotels, restaurants, and work areas that are also used by non-smokers have been smoke-free since legislation was introduced in 1993.

A law banning smoking in public places came into effect in on July 1 2006. Smoking is not allowed in the workplace, common stairwells, schools, health and rehabilitation facilities, cinemas, concert halls and sports centres. Open-air cafes and public transportation stops are also covered. Smoking is allowed in designated areas.

Lithuania

Smoking has been banned in all public places, including bars, discothèques, clubs and restaurants since 1st January 2007. No separate smoking rooms will be permitted. Exceptions are made for 'pipe and cigar clubs'.

Luxembourg

A law was adopted by the Chamber of Deputies in Luxembourg on 13th July 2006 prohibiting cigarette advertising, and banning smoking in many public places. However, nightclubs were spared and in restaurants an area accounting for at most 25% of the establishment's surface area is reserved for smokers.

A partial ban applies to cafés where smoking are banned during mealtimes in those that serve food, i.e. between noon and 2pm and between 7 and 9pm. Smoking is completely banned in shopping centres and public buildings. The law remains vague on the question of banning smoking in the workplace: "The employer should take all necessary measures to protect workers effectively against secondhand cigarette smoke".

Macedonia

From 1 January 2006 a law banning smoking in public places and cigarette advertising has been in place in Macedonia.

Malta

A law came into force on 5th April 2004 prohibiting smoking in certain public places, including hospitals, government departments, schools, sports centres and offices providing public service. Smoking is also prohibited on public transport and on flights, in cinemas, theatres and television studios. From 5th October 2004, bars and restaurants with an area of over 60 square meters had either to become smoke-free, or have a designated smoking room. From 5th April 2005, smoking has been prohibited in all enclosed public and private premises that are open to the public. This includes all premises where food and drink are served. Maltese and English versions of the Legal Notice 414 of 2004 are available online at: <http://www.doi.gov.mt/EN/legalnotices/2004/09/LN414.pdf>

Moldova

Under legislation introduced in 1980, smoking is prohibited in all enclosed public places, in the workplace, cinemas, in theatres, on public transport and during air flights.

Montenegro

Parliament passed a law to prohibit smoking in public places in August 2004, which has been in effect since 2005.

Norway

As of July 2004, smoking is prohibited in places where food/and or drink is served (including restaurants, cafes, clubs and pubs). Prior to this hospitality workers were the only group of workers in Norway not to have been covered by legislation. The Act No. 14 of 9 March 1973 relating to Prevention of the Harmful Effects of Tobacco with amendments is available at: <http://odin.dep.no/hod/engelsk/regelverk/p20042245/042041-990030/dok-bn.html>

Poland

Smoking has been prohibited on public transport since 1992. Under the 1996 Tobacco Control and Health Protection Act, smoking is also prohibited in health care establishments, schools and other educational facilities, indoor workplaces and public buildings, with the exception of areas expressly set aside for smokers.

Portugal

Smoking is prohibited in all health care facilities, all premises used by children, educational establishments, enclosed sports facilities, theatres and other enclosed leisure/entertainment facilities, public waiting rooms, lifts, museums and libraries.

Smoking is prohibited on public transport vehicles where trips last less than one hour and there are partial restrictions on smoking on domestic air transport.. There is no comprehensive workplace law in place.

Republic of Korea

Under Health Promotion Law, which has been effective since 1995, smoking is prohibited in hospitals and other health facilities, in schools, and in kindergartens. Smoking is also prohibited on public transport, including airplanes, buses, and in subways. Following amendments to Health Promotion Law in 2003, smoking is also prohibited on all trains, including Inter-city trains.

A number of other public places are required to be either smoke-free, or to have a designated smoking area with a ventilation system installed.

Romania

Since 31st December 2006 a law imposing a total smoking ban in health institutions, both private and public has been in place.

Bars, restaurants, discotheques and all other spaces with similar destination are obliged to mark off smoking and non-smoking areas and assure ventilation, unless the owner decides that the place is totally smokefree and informs the public in a visible manner. Smoking is banned in "closed public places", with the exception of designated smoking rooms.

Russian Federation

Smoking is currently prohibited on public transport, in theatres, and in enclosed sports centres. Russia's upper house of Parliament approved a bill to restrict smoking in public places in November 2004. The bill prohibits smoking on public transport, and in the workplace.

San Marino

Smoking is prohibited in all workplaces, schools, hospitals and on public transport.

Slovakia

Smoking is prohibited during all indoor meetings and conferences, in all hospitals, schools, cultural and sports premises, and on all forms of public transport. Smoking is also prohibited in all restaurants during main meals, with the exception of restaurants that have designated rooms for smokers.

Slovenia

In 1996, Slovenia adopted the Restrictions on the Use of Tobacco Products Act, which was amended in 2002, and includes measures to restrict smoking in public places and workplaces. Smoking is prohibited in the following places open to the public: meeting rooms, cinema halls, theatres, nursery care premises, hospitality premises and shops, sports halls, public transport facilities, lifts, cable cars, public toilets, and other premises where non-smokers may be exposed to tobacco smoke involuntarily. In some cases, designated smoking areas are permitted, but areas defined as reserved for smokers must not exceed 50% of the total surface area of any individual premises. Smoking in schools and other education premises, hospitals and health institutions, confectioneries, and government buildings is prohibited under this Act. In hospitality facilities (restaurants, inns, coffee shops, snack bars and bars), designated smoking areas must be provided. However, pubs are not covered by this legislation. In workplaces, smoking is prohibited in all premises with one or more non-smoking employee.

Spain

Legislation prohibiting smoking in public and private workplaces came into effect in January 2006. Smoking is banned in enclosed sports centres, commercial centres, large shops, cultural centres, museums, libraries, and lifts, among other places. Prior to this law, smoking was already prohibited in all hospitals, educational establishments, public administration premises, in all urban and long-distance vehicles, on all domestic flights shorter than 90 minutes, and in workplaces where smoking may pose an increased health risk (i.e. for pregnant women or children).

Smoking will only be permitted in designated areas in businesses, penal establishments, airports, stations and ports. In bars and restaurants, owners can still devote up to 30 per cent of their space to smokers, but in designated areas only. If an establishment is too small for the creation of a no-smoking area to be feasible, the owner must choose to be entirely smoking or entirely non-smoking. In practice this means that most bars still allow smoking.

Sweden

The Tobacco Act (1983) states that smoking is prohibited on public transport, and in all enclosed public places including schools, hospitals, shops, banks, waiting rooms, communal premises in housing, and conference facilities. Separate smoking areas may be designated in

certain circumstances. Smoking is also prohibited in schoolyards and other outdoor areas for children. Hotels must offer smoke-free rooms. Employers are obligated to ensure that workers are not involuntarily exposed to environmental tobacco smoke in the workplace.

Since June 1 2005 all restaurants, cafés and bars became smoke-free. The legislation applies to all other enclosed places serving food and drinks. The regulation also covers establishments with dual activities, such as restaurants with dance-floors.

The legislation permits smoking rooms. Such rooms may only take up a small part of the establishment, and must be located so as to ensure that patrons do not have to pass through them. Employees should only have to make brief visits to smoking rooms to empty ashtrays, for example. Food and drink may not be taken into smoking rooms. More detailed regulations on the design and ventilation of smoking rooms have been issued.

Switzerland

Voluntary agreements in some cantons have imposed smokefree restrictions on healthcare and educational facilities, restaurants, bars, pubs, theatres and cinemas. In one canton (Ticino: Italian part of CH) a smoking ban will come into force in April 2007. In several other cantons smoking bans in restaurants are on the political agenda.

There is a total smoking ban on all public transport with the exception of taxis although in practice most taxis are smokefree.

Turkey

Smoking is banned in all public places including public buildings, restaurants, cafes and malls. Smoking is also banned on all public transportation including taxis. People are not allowed to smoke in private vehicles if a non-smoker is present.

Smoking is also banned in sports clubs, congress halls, workplaces and cemeteries but smoking rooms are provided in enclosed spaces which must be air conditioned, as must hotels.

Individuals in uniform such as policemen or military officers are not allowed to smoke in public areas. No television show can depict actors smoking.

Ukraine

In 2005 the Ukrainian parliament introduced a law requiring public establishments such as bars, cafes and restaurants to provide a non-smoking area.

Bar and restaurant owners face fines of up to \$10,000 if they fail to provide non-smoking areas in at least half of their establishments.

Uzbekistan

Smoking is restricted on public transport, in education and healthcare facilities and in public places.

ASIA

Afghanistan

Afghanistan's western Herat province has prohibited smoking in all government buildings (April 2005), becoming the first region in the country to take such action.

Armenia

Armenia's first ever restrictions on smoking in public places came into force on March 2nd 2005, prohibiting smoking in hospitals, cultural and education institutions and public transportation. In March 2006, the second phase of the law came into effect requiring other public places such as bars and restaurants to restrict smoking to designated areas. However, there are no mechanisms in place for enforcing the measures and to date there is little evidence of compliance with the restrictions.

Bahrain

Smoking is prohibited in health establishments and schools, and is restricted in government institutions and on public transport. Food handlers are prohibited from smoking in the workplace. Smoking is also prohibited on regional air flights less than two hours.

Bangladesh

On March 13th 2005, Parliament passed a law prohibiting smoking in educational institutions, in government, semi-government and autonomous offices, in libraries, lifts, hospitals and clinics, court buildings, airports, sea and river port buildings, railway stations and bus terminal buildings, on ferries, in cinema halls, covered exhibition centres, theatre halls, children's parks and other public places designated by gazette notifications.

Bhutan

In December 2004, Bhutan became the first country in the world to ban the sale of tobacco products nationwide. Two months later, the Government announced smoke-free legislation in public places, public places being defined as 'all places where people gather'. This includes parks, discotheques, entertainment centres, sports facilities including football grounds and archery ranges, commercial centres including shops, bars and restaurants, institutions like dzongs, hospitals, schools and government offices, public transport carriers, public gatherings such as tshechus, official receptions, national celebrations, and vegetable markets.

Cambodia

Restrictions on smoking in hospitals and other health facilities are in place, as is the case for government offices, workplaces, restaurants and public transport. Smoking is prohibited on all domestic airline flights.

China

Smoking is prohibited in many public places and in some workplaces (usually because of fire hazard). Since 1949, smoking has been prohibited on public transport vehicles in all big cities. Smoking is also prohibited in subways, and in 1986, no-smoking sections were introduced on trains. All flights have been smoke-free since 1995. Smoking is prohibited on Ministry of Public Health premises, and is restricted in hospitals and health facilities. In 1994, Shanghai declared virtually all indoor public places smoke-free, and as of October 1995, Beijing prohibited smoking in major public places too.

In **Hong Kong**, on 1 January 2007, the existing law banning smoking in most enclosed public places was extended to cover restaurants and karaoke bars. It also covers outside areas with swimming pools, beaches and the larger parts of public parks. Mah jong and massage

parlours have been granted an exemption until July 2009. Exemptions apply to some hotel rooms and designated areas in airports.

The Chinese government has also recently announced that it is planning to prohibit smoking at all venues for the 2008 Beijing Olympic Games.

India

Legislation was introduced in 1990 prohibiting smoking in all health care establishments, government offices, educational institutions, air-conditioned railway cars, chaircars, buses, and domestic passenger flights. In May 2004 a new law came into force prohibiting smoking in enclosed public places under India's Anti-smoking Act.

Iran

Smoking is not permitted on trains, on domestic flights of two hours duration or less, or on buses. Smoking is also prohibited in enclosed public places, including offices, factories, cinemas and theatres. However, the law has not been widely enforced.

Japan

Article 25 of the national health promotion law (introduced in the spring of 2003) states that those who manage facilities used by the general public must endeavour to take whatever steps are necessary to prevent exposure to second-hand smoke. This law covers facilities including schools, gymnasiums, hospitals, theatres, public assembly halls, gallery spaces, department stores, offices, government buildings, and restaurants and bars.

Since this law was introduced, the eight private railways in the Tokyo area have removed designated smoking areas. A number of local government buildings also prohibit smoking indoors. Schools and universities are generally smoke-free areas, as are commuting vehicles, cinemas, and many public and privately owned facilities. Smoking is prohibited on the Tokyo underground rail system, in urban buses and trams, and in an increasing number of taxicabs. Smoking restrictions operate in hospitals and health facilities. A number of legal restrictions also exist at local level, for example the restrictions on outdoor smoking in some designated portions of urban centres, originating with the Chiyoda Ward ordinance.

Members of the Parliamentarian's League have expressed a need for more restrictive national legislation on exposure to second-hand smoke. However, at present there are no formal plans to develop laws or national regulations regarding workplace smoking.

Kyrgyzstan

Smoking is prohibited in health care institutions, transport vehicles and schools (including colleges and universities). Whilst there is currently no legislation in place that prohibits smoking in public places and workplaces, some are smoke-free by choice.

Malaysia

Smoking is prohibited in government offices, prisons, amusement centres, theatres, hospitals, clinics, public lifts, air conditioned restaurants (with some exceptions), on public transport and on domestic airline flights and flights to Singapore.

Mongolia

Smoking is prohibited on public transport and in health facilities, on many other worksites and in many public places, on transport vehicles, in offices and in schools.

Nepal

Smoking is prohibited in all health care institutions, except in designated smoking areas. Since 1992, the Government has prohibited smoking in public places, and on public transport, including domestic flights and flights from neighbouring countries. In June 2006, the Supreme Court ordered the government to enact a comprehensive law to ban smoking in all public places.

Pakistan

Smoking is prohibited in most indoor public places but rarely enforced.

Philippines

Smoking is prohibited voluntarily in many hospitals and health care institutions, and prohibited in cinemas, theatres and enclosed public places. All high schools and colleges are smoke-free, as are all domestic flights. Voluntary measures exist in some workplaces. Further information and full text of the Tobacco Regulation Act 2003 is available from the Framework Convention Tobacco Control Alliance, Philippines website, at http://fcap.globalink.org/RA9211_a.html

Singapore

Legislation prohibiting smoking in cinemas, theatres and other specified buildings was passed in 1970. Smoking is now prohibited in many enclosed public buildings, including fast food restaurants, air-conditioned restaurants, indoor stadiums, bowling alleys, and billiard saloons. It is also illegal to smoke or use smokeless tobacco while selling or preparing food for sale. Smoking is prohibited on all buses and taxis, and around 90% of domestic flights are smoke-free. The Smoking (Prohibition in Certain Public Places) Act is administered by the National Environment Agency and the can be accessed online at: http://app.nea.gov.sg/cms/htdocs/category_sub.asp?cid=180 - SMOKING

The law was extended in October 2005 to cover bus shelters and depots, public toilets, swimming complexes and stadiums, and in community clubs. In July 2006, the smoking was further extended to include other include entertainment outlets (pubs, bars, discos, nightclubs & KTV lounges), public eating areas known as 'hawker centres' and coffee shops. Smoking is now only permitted in designated outdoor refreshment areas.

South Korea

A law came into force in April 2003 prohibiting smoking in all hospitals, schools, outdoor subway platforms, train passageways and office hallways and bathrooms. Internet cafes, game rooms and restaurants of a certain size must designate non-smoking sections.

Syria

Smoking is prohibited in government buildings, in educational workplaces, in schools, cinemas and theatres, on all-distance flights and on other forms of public transportation, including buses, trains, taxis, and ferries. Since 1996, smoking is also prohibited in restaurants, although this law is reportedly rarely enforced.

Thailand

Since 1976, smoking has been prohibited in public places, and since 1985 in cinemas. It is also prohibited in all types of air-conditioned public transport, and on flights of less than 2 hours. Since 1988, smoking has been prohibited in cabinet meetings and all other meetings in Government House, and since 1989 in all premises of the Ministry of Public Health. The Nonsmokers' Health Protection Act, adopted in 1992, grants authority to the Minister of Public Health to create non-smoking areas by regulation in a wide variety of additional public places. Smoking is now additionally prohibited in all air-conditioned restaurants and designated smoking areas must be provided in all government and private workplaces.

Uzbekistan

Since 1994, smoking is prohibited in all enclosed public places, medical institutions, on public transport, and in schools. In other establishments, smoking is restricted to designated areas only.

Vietnam

Smoking has been prohibited in indoor public places since 2000, but until recently, no penalties were issued for violations of the law. On Friday 7th January 2005, The Minister of Transport and Communications signed a directive prohibiting smoking in offices and reception rooms of the ministry and public places, including stations, airports, ports and on public transport. From this time, anyone not complying with the regulations will face fines.

AFRICAN REGION

Botswana

Under legislation passed in 2004, smoking is prohibited all in public places and workplaces, including offices, public service vehicles and public service buildings.

Further information is available online at:

http://www.gov.bw/cgi-bin/news.cgi?d=20050120&i=Ministry_ammends_smoking_act

Côte d'Ivoire

Smoking is restricted in health care institutions and on public transport.

Egypt

Legislation introduced in 1981 prohibits smoking in enclosed public places and on trams, buses and domestic flights. Non-smoking compartments are now provided on trains. Smoking is also restricted in healthcare institutions.

Kenya

A ban on smoking in public places entered into force in May 2006. The law applies to offices, bus stations, airports and sports venues. Bars and restaurants without separate smoking areas are also affected.

Mauritius

Smoking is prohibited on public transport, in healthcare facilities, schools, cinemas, lifts, police stations, post offices, libraries, sports halls, pharmacies, museums and nurseries.

Morocco

Legislation to prohibit smoking in public places is currently being reviewed.

Seychelles

Smoking is restricted in health facilities and market places, and is prohibited on public transport, in some clubs, in shops, and theatres.

South Africa

The Tobacco Products Control Amendment Bill (Act 12), passed in 1999, forbids smoking in public places, including workplaces. The regulations permit smoking in specifically designated areas, but only if certain conditions apply. Smoking is also prohibited in all health facilities, and on most public transport facilities, although some trains may have a smoking carriage. Smoking is also prohibited in certain outdoor areas as well, including sports stadium.

Sudan

Smoking is prohibited in enclosed public places, and on public transport vehicles.

Tanzania

Under the Tobacco Products (regulation) Act 2003, smoking is prohibited on public transport, and in hospitals, schools and other public places.

Uganda

Since March 2004, smoking is prohibited in all enclosed public places.

PACIFIC REGION

Australia

Smoking is prohibited in Commonwealth workplaces, aircraft, airports, interstate trains and federally registered motor coaches. All Australian states/territories except for the Northern Territory have passed smoke-free legislation which is being implemented as follows:

1. Tasmania (Jan 1, 2006)
2. Queensland (July 1, 2006)
3. Western Australia (July 31, 2006)
4. Australian Capital Territory (Dec. 1, 2006)

5. New South Wales (July 2, 2007)
6. Victoria (July 1, 2007)
7. South Australia (Nov. 1, 2007)

Further details of Tobacco Control Legislation in Australia – Federal, State and Territory – are available from the ASH Australia website at: <http://www.ashaust.org.au/SF'03/law.htm>

Cook Islands

Smoking restrictions operate in public places, hospitals, government offices and buildings, the workplace and on domestic airlines.

Fiji

Smoking is prohibited by regulation in government offices and buildings, hospitals and health facilities, and in schools. Smoking restrictions are in place in restaurants and in some workplaces. All domestic airlines are smoke-free.

New Zealand

On 3 December 2003, an amendment to the Smoke-free Environments Act 1990 was passed. The amendment (the Smoke-free Environments Amendment Act 2003), extended the law to cover all remaining workplaces. The final stage, implementing the law in licensed premises (bars, restaurants, cafes, sports clubs, casinos) came into force on 10 December 2004.

There are some exemptions, including prison cells, and smoking rooms are permitted in rest homes, hospitals and psychiatric institutions. Further information regarding the smoke-free law is available from the Ministry of Health Government website at: <http://www.moh.govt.nz/smokefreelaw>

South Taranaki has recently announced a smoke-free policy in parks and playgrounds, a first for New Zealand.

Papua New Guinea

Legislation passed in 1987 prohibits smoking in many public places, including hospitals, health premises, and public transport vehicles. Smoking is also prohibited on all domestic flights, in most government offices, and in all institutes of education (except for staff quarters).

Solomon Islands

Partial smoking restrictions operate in health facilities, government offices, in the workplace and on public transport (including some flights).

Tonga

Since 1987, smoking is prohibited in all hospitals, health centres and clinics, Ministry vehicles and boats. Partial smoking regulations operate in some theatres, cinemas, places of work, meeting places, government premises and in all churches.

NORTH AMERICA

CANADA

Of 13 provinces and territories, 9 have passed comprehensive province/territory-wide smokefree legislation. In addition, British Columbia and Prince Edward Island prohibit smoking in most workplaces and public places but allow designated smoking rooms in some bars and restaurants. The provincial laws were implemented as follows:

1. Northwest Territories (May 1, 2004)
2. Nunavut Territory (May 1, 2004)
3. New Brunswick (Oct. 1, 2004)
4. Manitoba (Oct. 1, 2004)
5. Saskatchewan (Jan. 1, 2005)
6. Newfoundland and Labrador (July 1, 2005)
7. Ontario (May 31, 2006)
8. Quebec (May 31, 2006)
9. Nova Scotia (Dec. 1, 2006)

USA

Many states have laws prohibiting smoking in public places, excluding restaurants and bars. Fifteen states have comprehensive state-wide laws which prohibit smoking in all indoor public places including restaurants and bars – see implementation dates below. Florida, Utah and Vermont have state-wide laws banning smoking in restaurants. Many municipalities have adopted ordinances to ban smoking in all restaurants and bars.

1. California (restaurants Jan. 1, 1995; bars Jan. 1, 1998)
2. Delaware (Nov. 27, 2002)
3. New York (July 24, 2003)
4. Maine (Jan. 1, 2004)
5. Connecticut (restaurants Oct. 1, 2003; bars Apr. 1, 2004)
6. Massachusetts (July 5, 2004)
7. Rhode Island (restaurants, most bars, Mar. 1, 2005; other bars Mar. 31, 2005)
8. Vermont (restaurants July 1, 1995; bars Sept. 1, 2005)
9. Washington (Dec 8 2006)
10. New Jersey (April 15 2006)
11. Colorado (July 1 2006)
12. Hawaii (Nov 16 2006)
13. District of Columbia (Washington DC) (Jan 2 2007)
14. Utah (restaurants Jan. 1, 2005; bars Jan 1, 2009)
15. Montana (restaurants Oct. 1, 2005; bars Oct. 1, 2009)

For further information including local smokefree laws in the USA see Americans for Nonsmokers Rights website: www.no-smoke.org

CENTRAL AMERICA

Bahamas

Voluntary smoking restrictions operate in hospitals, cinemas, in some public transport vehicles, and in some restaurants. Since 1987, smoking is prohibited during national airline domestic inter-island flights.

Costa Rica

Smoking is prohibited in workplaces, although designated smoking areas are available in most. Smoking is also prohibited in government buildings (except in prisons), and in cinemas, theatres, and public entertainment venues, as well as on public transport.

Cuba

From February 7th 2005, smoking is prohibited in theatres, shops, buses, taxis and other enclosed public areas under a new resolution published in Cuba's most recent National Gazette by the Commerce Ministry.

Smoking is also prohibited in enclosed restaurants and cafeterias, except in specially designated non-smoking areas. Smoking is also prohibited in education and health workplaces, sports centres, air-conditioned buildings, and in all government buildings.

El Salvador

Smoking is prohibited only in Ministry of Health buildings.

Grenada

Voluntary restrictions on smoking are commonplace in enclosed public places including workplaces, health facilities, on buses, and in Government buildings, theatres, cinemas, and restaurants.

SOUTH AMERICA

Brazil and Uruguay are the only countries with substantial smokefree laws. Most other countries have few restrictions. However, about half ban smoking in health institutions and less than half have bans on smoking in public transport.

Argentina

Smoking is restricted in hospitals. In Buenos Aires, smoking is also restricted in factories, schools, sports centres, theatres, and food-processing centres. Smoking is prohibited on public transport including buses, taxis, and in subways.

Bolivia

Smoking has been prohibited in hospitals since 1982, and in enclosed public places and mass transit since 1990. Smoking is also prohibited in educational establishments and offices of the Ministry of Health.

Brazil

Under a Federal law passed in July 1996, the use of cigarettes, cigarillos, cigars, pipes or any other smoking product (whether or not it is tobacco) is prohibited in public places, except in areas created exclusively for this purpose. Designated smoking areas must be properly isolated and have adequate ventilation. Public places is defined to include public offices, hospitals and health clinics, classrooms, libraries, places of collective work, and cinemas and

theatres. The use of smoking products is prohibited on airplanes and on public transportation. Since 1998, smoking is prohibited in all Ministry of health buildings.

Chile

The Chamber of Deputies, the lower house of Parliament, has approved a tobacco control law which restricts but does not ban smoking in bars, restaurants and other public places. The law is expected to be brought into force by September 2007.

Peru

Legislation was introduced in 1991 that prohibits smoking in enclosed public places and in private premises for public use as well as in public transport vehicles.

Uruguay

Uruguay is the first country in South America to implement comprehensive smokefree legislation. The ban came into effect on 1 March 2006. Smoking had been prohibited on public buses and in taxis since 1981. Since 1996, smoking was restricted in buildings open to the public, and in places where food is sold or consumed. Smoking is also prohibited in all health care facilities and schools.