**REQUIREMENTS FOR DESIGNATED SMOKING AREAS**

**The Tobacco Products Control Act** and Rhodes University’s Smoking Policy outline the requirements for designated smoking areas.

**Tobacco Products Control Act, 1993 (Act No. 83 of 1993):**

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**Designated outdoor smoking areas**

4. (1) The owner or person in control of a public place or employer in respect of a workplace may designate part of an outdoor area of the premises as an area in which smoking is permitted.

(2) **Smoking shall be permitted in that area only** and **in no other part** of the public place.

(3) The owner or person in control of a public place or employer in respect of a workplace shall **display a notice** at the area stating that -

(a) the area is a designated outdoor smoking area; and

(b) no person under 18 years old may be present in the area; and

(4) **More than one** designated outdoor smoking area may be permitted at the premises.

(5) The parts of an outdoor area of the premises that may be designated outdoor smoking areas shall be **clearly demarcated**.

(6) A designated outdoor smoking area shall-

(a) **not be adjacent to an entrance** to the premises; and

(b) be in a position that **minimises smoke from the area entering any area** where smoking is prohibited; and

(c) be set aside **exclusively as a smoking area**; and

(d) **not be adjacent to walkways** and other areas where persons generally congregate or walk.

**Requirements for a designated outdoor smoking area**

**5.** The owner or person in control of a public place or employer in respect of a workplace of premises at which there is a designated outdoor smoking area shall ensure that, in the designated outdoor smoking area-

(a) no person under the age of 18 years is present;

(b) no food or refreshment is served;

(c) no entertainment is provided;

(d) ashtrays are installed and the area regularly cleaned; and

(e) smokers are discouraged from remaining in the area longer than is necessary to smoke a cigarette.



**Rhodes University’s Smoking Policy (ratified by Council in November 2017):**

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**Principle 3**:

**DESIGNATED SMOKING AREAS**:

Smoking is only permitted in external designated areas that neither impact in any way on other persons, nor pose any fire hazard.

**Directive 3**:

The following procedure is specified for implementing:

**DESIGNATED SMOKING AREAS**: Rhodes University shall only permit smoking in:

* External designated areas that are at sufficient distance away, **not less than 10 metres**, and **take prevailing wind direction into account, so that no smoke drifts into any part of the workplace** or poses a fire hazard
* Such designated smoking areas will be **marked with a sign “Smoking Area”**, and provide a **container with sand for the disposal of cigarette butts**. Where possible and financially viable, roofing, paving and wind screens may be provided.
* **Indoor smoking areas will not be provided** by the University due to cost considerations.
* **Additional external designated smoking areas** may be demarcated based on reasonable demand and approved by the Deputy Director: Facilities Services.

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**Note:**

**The Tobacco Products Control Act makes provision for the employer to ban smoking outright:**

**Smoke-free public place or workplace**

**6.** The owner or **person in control** of a public place or employer in respect of a **workplace** **may totally prohibit smoking** on the premises of that public place.

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