

SMOKE-FREE OUTDOOR MARKETS

INFORMATION FOR THE COMMUNITY

Q SMOKE FREE ZONES

From 1 September 2023 new smoke-free laws apply at outdoor markets. The law applies to all smoking products including electronic cigarettes.

Where does the smoke-free law apply?

Smoking is prohibited throughout outdoor market areas and within a 5-metre smoke-free buffer zone at clearly defined market entrances and exits.

When does the smoke-free law apply?

The smoke-free requirements at outdoor markets apply while the market is in operation, including set-up and pack down of the market.

However, this does not apply to a person:

- at residential premises or on residential land
- at business premises
- travelling past the entrance to the market vehicle or foot.

Are smoking areas permitted at outdoor markets?

Yes. Outdoor markets are permitted by law to set aside an area for smoking.

The law requires that a smoking area at an outdoor market is surrounded by a 5-metre buffer zone with no food or drink allowed in the smoking area or in the buffer zone.

Outdoor markets with a smoking area must display:

- a map of the smoking area and the smoke-free buffers for the area
- a sign clearly advising no food or drink can be consumed in the smoking area or within 5 metres around the area
- a sign advising that smoking can only occur in the area provided.



Examples of signs

How will the smoke-free law be monitored and enforced?

There is strong community support for the creation of smoke-free public places. This means most people will comply with smoke-free requirements and typically encourage others to do so.

The laws are monitored and enforced by Queensland Health Environmental Health Officers, who provide advice and education, respond to possible breaches and issue warnings and on-the-spot fines.

To report a possible breach of the legislation, call 13 QGOV (13 74 68) or use the online complaints form available at: <https://www.health.qld.gov.au/public-health/topics/atod/tobacco-laws/penalties/reporting-a-possible-breach-of-smoking-laws>.

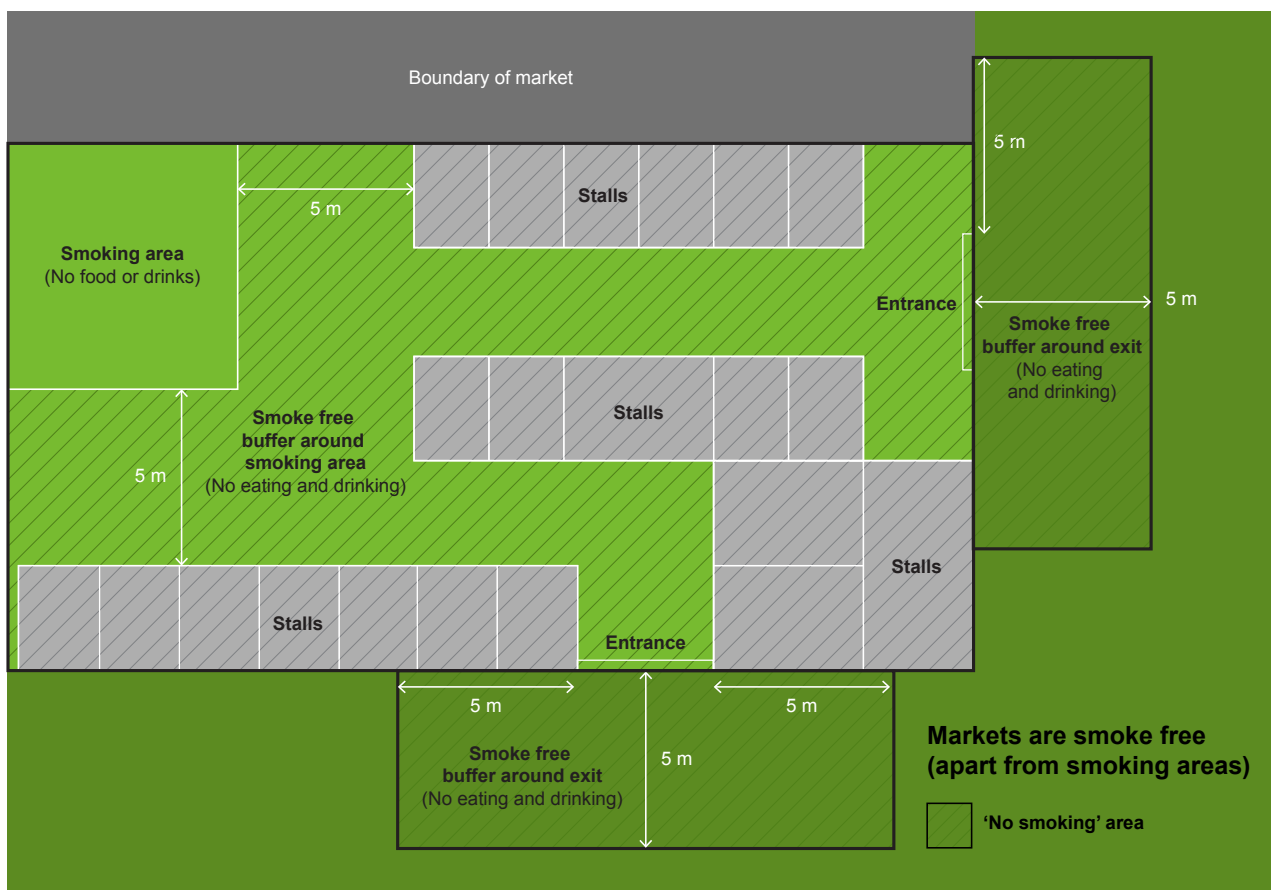
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What penalties apply?

The maximum penalty for someone smoking or vaping in a smoke-free public place is twenty penalty units¹, with an on-the-spot fine of two penalty units.

Why does the smoke-free law exist?

Smoke-free laws protect against the dangers of second-hand smoke and vapour.

Exposure to second-hand smoke and vapour is harmful to health. Markets are busy high-density places increasing the risk of second-hand smoke exposure. New smoke-free requirements at outdoor markets will help protect health by moving smoking and vaping further away from areas where food, drink and other market goods and services are provided.

The law also reduces role modelling of smoking and vaping and helps current smokers to quit.

Children and young people are more likely to view the use of smoking products as socially acceptable when they regularly see people using them. Banning smoking and vaping in busy community areas helps make the habit less visible and discourages young people from ever starting to smoke or vape. There is also evidence that smoke-free areas can help people trying to quit.

How can I find out more?

For more information about smoke-free laws in Queensland you can call 13 QGOV (13 74 68) or visit: <https://www.health.qld.gov.au/public-health/topics/atod/smoking-laws>

Would you like to quit smoking?

To improve your chance of quitting smoking or vaping for good, it is important to plan ahead. You may find these tips helpful:

Get support

Quitline's trained counsellors are available seven days a week to help you through the process of quitting – call Quitline 13 QUIT (13 7848) for free information, practical assistance and support.

Talk to your health professional

Discuss quitting smoking with your nurse, doctor or general practitioner and plan your quit strategy together.

Consider using pharmacotherapy

Different products are available to help you quit smoking. Nicotine replacement therapy (NRT) includes patches, gum, lozenges, inhalers and mouth spray.

¹ As of 1 July 2023, the penalty unit amount is \$154.80. This amount increases annually. For more information on current penalty amounts call 13 QGOV (13 74 68).

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