

Ban on smoking during organised underage sporting events

Information for residents of and visitors to Victoria

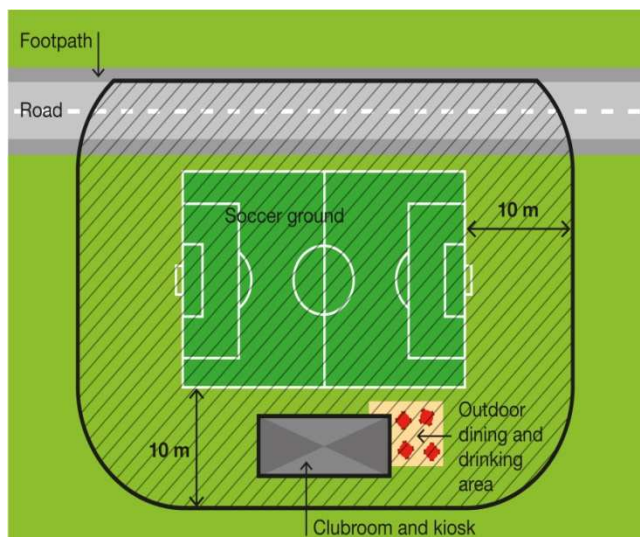
By law, smoking is banned within 10 metres of outdoor sporting venues during under 18s events in Victoria from 1 April 2014.¹

Where does the ban apply?

Smoking is banned within 10 metres (about two car lengths) of a sporting venue that is an outdoor public place **during an organised underage sporting event**. This includes training or practice sessions to prepare for an organised underage sporting event, and breaks or intervals during the course of the event, training or practice session.

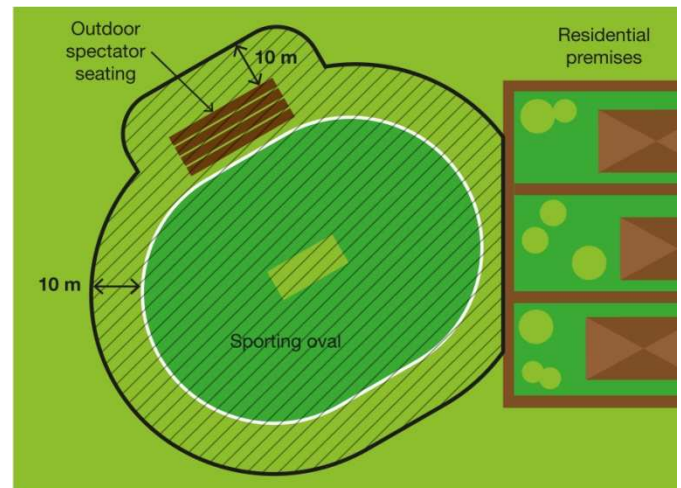
The ban applies to outdoor dining and drinking areas within 10 metres of an outdoor public sporting venue **during an organised underage sporting event or training session**.

These diagrams show examples of where the smoking ban applies.

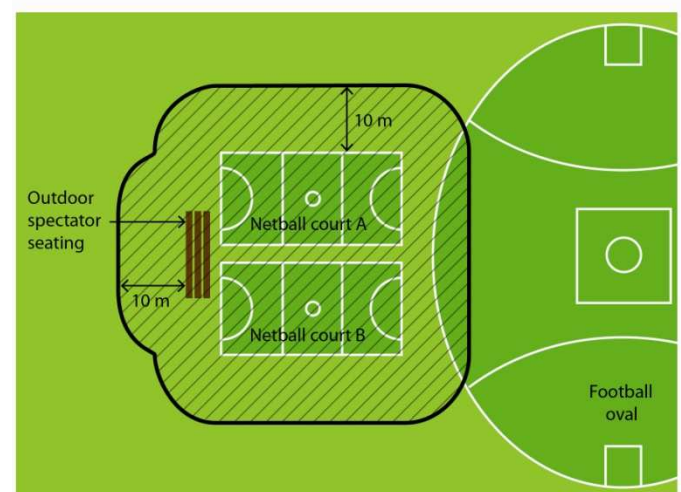


Shading indicates outdoor 'no smoking' area

In the above diagram workplace smoking laws apply to the enclosed clubroom and kiosk.



Shading indicates outdoor 'no smoking' area



Shading indicates outdoor 'no smoking' area

In the above diagram underage netball games are conducted on netball courts A and B.

¹ Section 5RI(1) of the *Tobacco Act 1987*.

Why does the ban exist?

To protect children and young people from the dangers of second-hand smoke

Underage sporting events attract families with children and young people. This ban creates a smoke-free place where children and young people can enjoy themselves without being exposed to harmful second-hand tobacco smoke.

Second-hand tobacco smoke exposure is particularly dangerous for children and young people because they have smaller airways and less developed immune systems compared to adults.

To reduce the role modelling of smoking behaviours around children and young people

Children and young people are more likely to view smoking as socially acceptable when they regularly see people smoking. Banning smoking in areas used by children and young people will help to de-normalise smoking behaviour and discourage children and young people from taking up smoking.

What is considered a sporting venue?

Under this law, a 'sporting venue' includes:

- a playing field
- a track
- an arena
- a court or rink
- any permanently or temporarily erected public seating at the venue
- any seating, marshalling area, warm-up area, podium or other part of the venue reserved for the use of competitors or officials
- any part of the venue used to conduct the actual organised underage sporting event.

For example, if there are courts or ovals next to one another, the sporting venue is considered to be the court/s or oval/s where the actual underage sporting event is taking place.

Each sporting venue will be different. The diagrams above can help you to understand where the ban applies.

What is considered an underage sporting event?

Under this law, an 'organised underage sporting event':

- is planned in advance

- is organised or intended for, or predominantly participated in by, persons under the age of 18 years
- is conducted according to established rules by a professional or amateur sporting body or by an educational institution
- may be a one-off event or part of a series of events.

Examples

An organised underage sporting event	Not an organised underage sporting event
A Little Athletics meet	An open netball game where some of the players are minors
An interschool/school sporting event participated in by people in their final years of secondary school, some of whom may be over the age of 18	An open age football match in which most of the players are over the age of 18
An underage football match run by regional football league	An informal or impromptu sporting activity involving minors at an outdoor public sporting venue

How will I know when the ban applies?

The smoking ban applies when an underage sporting event is taking place. To help you determine whether an underage sporting event is taking place, consider whether:

- children under 18 years old are playing in a match, game, tournament or other event conducted by an amateur or professional sporting body or educational institution
- participants are wearing sporting uniforms
- there is supervision that may consist of coaching, officiating or umpiring of underage people
- a whistle, siren or other alert is used to indicate the match, game or event has started or finished.

In most cases, spectators and parents will know an organised underage sporting event is occurring based on the way the event has been described. Underage sporting events are likely to be described as age-limited, for example 'under 16s' or 'junior'.

There may also be 'No smoking' signs displayed at the venue to inform you of the ban.

Note that the ban also includes training or practice sessions to prepare for an underage sporting event, and breaks and intervals in play.

When does the ban not apply?

The ban does not apply:

- if no underage sporting event is currently underway
- to a person at a residential premises (at privately owned homes and land)
- to a person in a motor vehicle that is driving or being driven past the sporting venue
- to a person in an area that is separated from the sporting venue by a road.

What if a sporting club or venue already has a smoke-free policy?

The statewide ban is a minimum standard. If a sporting club has its own smoking ban in place you should comply with any further requirements of that in addition to the legislative ban.

How will people know about the ban?

An education campaign, including announcements in the media, and newspaper and radio advertising will inform the public of the new law. Signs may also be displayed in the smoke-free area.

How will the ban be enforced?

There is strong community support for banning smoking at public places regularly attended by children. This means most people will voluntarily comply with the smoking ban and expect others to do so.

Inspectors authorised under the *Tobacco Act 1987* may provide information about and, when necessary, enforce the ban. The first priority of the inspector is to make sure smokers understand the ban.

Inspectors may not be available to respond to every complaint, but where circumstances allow, may attend in response.

What penalties might apply?

The maximum penalty for someone breaking this law is five penalty units, with an infringement penalty of one penalty unit. As at 1 July 2013, a penalty unit is valued at \$144.36.²

How can I find out more?

For more information:

- visit www.health.vic.gov.au/tobaccoreforms
- call the Tobacco Information Line on 1300 136 775

To view the legislation visit <http://www.legislation.vic.gov.au/> and search *Tobacco Act 1987*.

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Authorised by the Victorian Government, Melbourne. To receive this publication in an accessible format phone the Tobacco Information Line on 1300 136 775 or email tobacco.policy@health.vic.gov.au.

² For current penalty unit values, visit the Office of the Chief Parliamentary Council website, <http://www.ocpc.vic.gov.au>.