

South Australia

Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012

under the *Tobacco Products Regulation Act 1997*

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Legislative history

1—Short title

These regulations may be cited as the *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012*.

3—Interpretation

- (1) In these regulations—

Act means the *Tobacco Products Regulation Act 1997*;

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

- (2) Unless the contrary intention appears, a reference in these regulations to a road is a reference to—

- (a) the carriageway of the road; and
- (b) the footpaths (if any) of the road; and
- (c) a median strip, traffic island or other land separating carriageways of the road; and
- (d) any other land adjoining or adjacent to the carriageway of the road that is land that has been reserved for the purposes of the road.

4—Smoking ban—Royal Adelaide Show

- (1) For the purposes of section 52 of the Act, smoking is banned in the following public areas for the period each year during which the annual Royal Adelaide Show is being held:

- (a) all public areas within the Adelaide show grounds, other than—
 - (i) an area (not being an enclosed public place, workplace or shared area) in respect of which a licence is in force under the *Liquor Licensing Act 1997*; or

Note—

Smoking is banned in enclosed public places, workplaces or shared areas under section 46 of the Act.

- (ii) an area used as a car park by members of the public (other than an area designated under paragraph (b) as an area in which smoking is not permitted); or
 - (iii) any other area designated by the Society as an area in which smoking is permitted;
- (b) any public area in the vicinity of a public entrance to the Adelaide show grounds designated by the Society as an area in which smoking is not permitted.
- (2) In this regulation—

Adelaide show grounds has the same meaning as in the *Adelaide Show Grounds (Regulations and By-laws) Act 1929*;

Society means the Royal Agricultural and Horticultural Society of South Australia Incorporated.

5—Smoking ban—Moseley Square, Glenelg

- (1) For the purposes of section 52 of the Act, smoking is banned in all public areas in Moseley Square, Glenelg, other than an area (not being an enclosed public place, workplace or shared area) to which an Outdoor Dining Permit issued by the City of Holdfast Bay pursuant to section 200 of the *Local Government Act 1999* applies.

Note—

Smoking is banned in enclosed public places, workplaces or shared areas under section 46 of the Act.

- (2) In this regulation—

Moseley Square, Glenelg means the area in Glenelg bounded as follows: commencing at the point at which the southern boundary of Section 1510 Hundred of Noarlunga meets the eastern boundary of the Section (the western boundary of Colley Terrace), then southerly along the prolongation in a straight line of the eastern boundary of the Section to the point at which that prolongation intersects the prolongation in a straight line of the southern boundary of Lot 100 DP 76687, then westerly and southerly along that prolongation and boundary of Lot 100 to the point at which it meets the north-eastern boundary of Piece 102 DP 76687, then generally north-westerly, northerly and north-easterly along the western boundary of Lot 100 DP 76687 to the point at which it meets the southern boundary of Lot 107 DP 71400, then in a straight line by the shortest route to the south-western corner of Lot 106 DP 71400, then easterly along the southern boundary of Lot 106 and the adjoining Lots (the northern boundary of Lot 100 DP 76687) to the point of commencement.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

| Year | No | Reference | Commencement |
|-------------|------------|---------------------------------------|-----------------------|
| 2012 | 196 | <i>Gazette 30.8.2012 p3960</i> | 30.8.2012: r 2 |
| 2013 | 168 | <i>Gazette 27.6.2013 p2787</i> | 27.6.2013: r 2 |
| 2013 | 224 | <i>Gazette 5.9.2013 p3770</i> | 5.9.2013: r 2 |
| 2014 | 202 | <i>Gazette 10.7.2014 p3220</i> | 10.7.2014: r 2 |
| 2014 | 238 | <i>Gazette 11.9.2014 p4340</i> | 11.9.2014: r 2 |
| 2015 | 200 | <i>Gazette 27.8.2015 p3948</i> | 1.7.2016: r 2 |

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

| Provision | How varied | Commencement |
|--------------------------|--|--------------------------------------|
| <i>r 2</i> | <i>omitted under Legislation Revision and Publication Act 2002</i> | <i>27.6.2013</i> |
| r 3 | | |
| r 3(1) | r 3 redesignated as r 3(1) by 224/2013 r 4(2) | 5.9.2013 |
| road | inserted by 224/2013 r 4(1) | 5.9.2013 |
| r 3(2) | inserted by 224/2013 r 4(2) | 5.9.2013 |
| r 4 | | |
| r 4(1) | varied by 168/2013 r 4(1), (2) varied by 202/2014 r 4(1), (2) | 27.6.2013 10.7.2014 |
| r 4(2) | | |
| <i>prescribed period</i> | <i>substituted by 168/2013 r 4(3)</i> <i>deleted by 202/2014 r 4(3)</i> | <i>27.6.2013</i> <i>10.7.2014</i> |
| r 5 | inserted by 224/2013 r 5 | 5.9.2013 |
| r 5(1) | varied by 238/2014 r 4(1) | 11.9.2014 |
| r 5(2) | | |

prescribed period deleted by 238/2014 r 4(2)

11.9.2014

Historical versions

27.6.2013

5.9.2013

10.7.2014