

South Australia

**Tobacco Products Regulation (A Smoke-Free
Adelaide) Amendment Bill 2008**

A BILL FOR

An Act to amend the *Tobacco Products Regulation Act 1997*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Tobacco Products Regulation (A Smoke-Free Adelaide) Amendment Act 2008*.

5 2—Commencement

This Act will come into operation 1 month after the date of assent.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Tobacco Products Regulation Act 1997*

4—Insertion of section 49

After section 48 insert:

49—Smoking banned in public places in City of Adelaide area

- 15 (1) Smoking is banned in all public places (whether enclosed or otherwise) in the City of Adelaide on a prescribed day.
- (2) If a person smokes in contravention of subsection (1), the person is guilty of an offence.
Maximum penalty: \$200.
Expiation fee: \$75.
- 20 (3) Subsections (1) and (2) do not apply in the case of a person who is smoking in a motor vehicle in the City of Adelaide.
- (4) Nothing in this section derogates from any other provision in this Part.

(5) All money received by way of expiation fees issued for a contravention of subsection (1) will be paid to The Cancer Council South Australia.

(6) In this section—

City of Adelaide has the same meaning as in the *City of Adelaide Act 1998*;

prescribed day means—

(a) in relation to the 2009 calendar year—29 May 2009; and

(b) in relation to the 2010 calendar year—

(i) 28 May 2010; and

(ii) the day on which the annual Credit Union Christmas Pageant is held in that year.

50—Review of operation of section 49

(1) The Minister must cause a review to be undertaken and a report prepared on the first 2 years of operation of section 49.

(2) The review and report must be completed within 3 months after 1 July 2010.

(3) The Minister must cause a copy of the report under subsection (1) to be laid before both Houses of Parliament within 6 sitting days after receiving it.