

South Australia

**Tobacco Products Regulation (Prohibition on
Smoking in Children's Recreational Parks)
Amendment Bill 2007**

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 (Prohibition on Smoking in Children's Recreational Parks) Amendment Bill 2007*.

5 2—Commencement

This Act will come into operation 1 month after the day on which it is assented to by the Governor.

3—Amendment provisions

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

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

4—Amendment of section 48—Smoking banned in certain places when child present

(1) Section 48—after subsection (1) insert:

15 (1a) A person must not smoke in a children's recreational park if a child is also present in the park.

Maximum penalty: \$200.

Expiation fee: \$75.

(2) Section 48(2)—after "motor vehicle" insert:

20 or children's recreational park

(3) Section 48(3)—after the definition of *child* insert:

children's recreational park means an open public place predominantly used for recreational purposes, such as a playground, park or reserve, at which children are likely to comprise a significant proportion of persons present;

- (4) Section 48(3)—after the definition of *motor vehicle* insert:

open public place means a public place that is not wholly or predominantly enclosed.