

## **Legislative Council**

As passed all stages and awaiting assent.

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South Australia

# **Tobacco Products Regulation (Smoking in Cars) Amendment Bill 2007**

A BILL FOR

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

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

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

- 4 Insertion of section 48
  - 48 Smoking in motor vehicle if child present

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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 (Smoking in Cars) Amendment Act 2007*.

### **2—Commencement**

This Act will come into operation on a day to be fixed by proclamation.

### **3—Amendment provisions**

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—Insertion of section 48

After section 47 insert:

#### 48—Smoking in motor vehicle if child present

- (1) A person must not smoke in a motor vehicle if a child is also present in the motor vehicle.

Maximum penalty: \$200.

Expiation fee: \$75.

- (2) In proceedings for an offence against this section an allegation in the complaint that a child was present in a motor vehicle at a specified time will be accepted as proved in the absence of proof to the contrary.

- (3) In this section—

*child* means a person under 16 years of age;

*motor vehicle* has the same meaning as in the *Motor Vehicles Act 1959*.