

South Australia

Tobacco Products (Exemption—Buried Child) Proclamation 2011

under section 71 of the *Tobacco Products Regulation Act 1997*

1—Short title

This proclamation may be cited as the *Tobacco Products (Exemption—Buried Child) Proclamation 2011*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Interpretation

In this proclamation—

Act means the *Tobacco Products Regulation Act 1997*;

prescribed period means the period commencing on 8 August 2011 and ending on 8 October 2011;

prescribed production means the stage production of *Buried Child* produced by the State Theatre Company of South Australia.

4—Application of proclamation

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of the Dunstan Playhouse or the State Theatre Company Rehearsal Room at the Adelaide Festival Centre;
- (c) an employer with responsibility for a workplace consisting of the Dunstan Playhouse or the State Theatre Company Rehearsal Room at the Adelaide Festival Centre in relation to the prescribed production.

5—Exemption from section 46 of the Act

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
 - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
 - (b) the area in which smoking may occur under the exemption must be well ventilated;

- (c) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.
- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

Made by the Governor

with the advice and consent of the Executive Council
on 23 June 2011

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