

South Australia

## **Tobacco Products (Smoking Bans in Public Areas— Longer Term) Variation Regulations 2013**

under the *Tobacco Products Regulation Act 1997*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Variation Regulations 2013*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012***

#### **4—Variation of regulation 3—Interpretation**

- (1) Regulation 3—after the definition of *Act* insert:

*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) Regulation 3—after its present contents (now to be designated as subregulation (1)) insert:
- (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.

## **5—Insertion of regulation 5**

After regulation 4 insert:

### **5—Smoking ban—Moseley Square, Glenelg**

- (1) For the purposes of section 52 of the Act, smoking is banned during the prescribed period 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;

***prescribed period*** means the period from 5 September 2013 to 5 September 2014 (inclusive).

**Tobacco Products (Smoking Bans in Public Areas—Longer Term) Variation Regulations 2013**  
Variation of *Tobacco Products (Smoking Bans in Public Areas—Longer Term) Regulations 2012—Part 2*

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**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 5 September 2013

No 224 of 2013

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