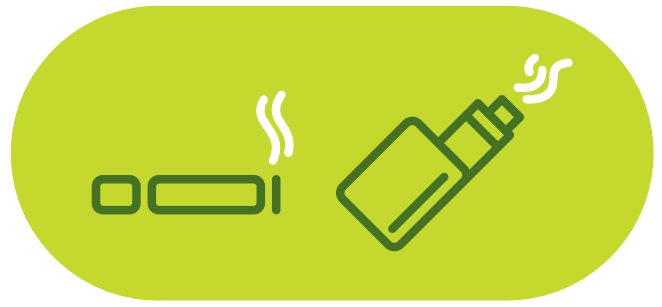


# ACT: SMOKING AND VAPING LAW REQUIREMENTS



Smoke-free laws in the Australian Capital Territory have been extended to cover the use of E-cigarettes/vapes.

That means that anywhere smoking is banned in public places, vaping is also banned.<sup>1</sup>

It's expected that everyone is aware of - and complies with - these laws.

Sporting clubs are also encouraged to develop a smoke-free and vape-free policy, banning smoking and vaping at all sporting events.

Having a smoke-free and vape-free sporting club can help you comply with your obligations to take reasonable precautions to ensure the health and safety of your employees, volunteers and visitors to your venue.

- In the ACT, the Tobacco and Other Smoking Products Act 1927 regulates the sale/promotion of tobacco, and the Smoke-Free Public Places Act 2003 regulates where smoking is permitted.<sup>2</sup>
- Under the Australian and ACT laws, single-use vapes are banned and vaping products can only be sold in pharmacies.<sup>1</sup>

## SMOKING AND VAPING BANS AND RESTRICTIONS

Smoking and vaping are also banned at underage functions. The organiser of an underage event has an obligation to maintain the smoke-free and vape-free area – including displaying 'no smoking/no vaping' signs.<sup>3</sup>

There are also restrictions that ban smoking and vaping where food is being served.

- Smoking and vaping are banned at outdoor eating and drinking areas.<sup>4</sup>
- A place is only an outdoor eating or drinking place while food or drink is available, being provided, consumed or cleared away.<sup>2</sup>
- Licensed venues such as pubs, clubs, taverns and bars can have a designated outdoor smoking/vaping area (DOSA), which requires having an up-to-date smoking management plan along with other requirements.<sup>4</sup>

## MANAGING SMOKING AND VAPING AT YOUR CLUB

It is recommended you develop a policy or procedure so staff, operators or volunteers know how to deal with someone smoking/vaping in a banned area.

The occupier (the person in control of the outdoor eating and drinking area/premises) is responsible for maintaining the smoke-free area – if a person is found to be smoking/vaping, both the occupier and the person committing the offence can be fined.

If smoking/vaping occurs in a smoke-free and vape-free area you may not always be liable – for example, if you could not reasonably be expected to have been aware of the person smoking/vaping or if you have already directed them to stop smoking/vaping.<sup>3</sup>

## ACT: SMOKING AND VAPING LAW REQUIREMENTS

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Acceptable 'no smoking/no vaping' signage needs to be displayed at smoke-free outdoor eating and drinking areas.

- Signage should be prominently displayed at outdoor eating and drinking areas so that people can easily see it.<sup>3</sup>
- You can order signage from the ACT Government website (see further information, below).

### Further Information:

#### **'No smoking' signage**

[Smoke-free Signage Application](#)

#### **'You can't vape where you can't smoke' poster**

[You can't vape where you can't smoke poster](#)

#### **Tobacco Licenses and Smoking Areas**

[Access Canberra- Tobacco Licenses and Smoking Areas](#)

#### **Smoking and Vaping**

[Smoking and vaping - ACT Government](#)

#### **Tobacco licenses and smoking areas**

[Tobacco licences and smoking areas - Access Canberra](#)

#### **Smoke-Free Public Places Act 2003**

<https://www.legislation.act.gov.au/a/2003-51/default.asp>

### References:

1. ACT Government. Smoking and Vaping [updated 2025 July 1, cited 2025 July 14]. Available from: [Smoking and vaping - ACT Government](#)
2. ACT Government. Smoke-Free Public Places Act 2003: ACT Legislation Register; 2003 [updated 2020 14 July; cited 2020 14 July]. Available from: [Smoke-Free Public Places Act 2003 | Acts](#)
3. ACT Government. Where You Can't Smoke or Vape [updated 2025 July 1; cited 2025 July 9]. Available from: [Where you can't smoke or vape - ACT Government](#)
4. Access Canberra. Designated Smoking and Smoke-free Areas [cited 2025 July 9]. Available from: [Designated smoking and smoke-free areas - Access Canberra](#)