

New Smoking Regulations

The long awaited smoking regulations were released in November by the BC Government. The new regulations will take effect **MARCH 31, 2008**.

As an association we are pleased that government listened to and acted the concerns expressed by the hospitality industry. However, we know that the closure of smoking rooms will be a challenge for many ABLE members.

These regulations are brand new and the staff in the ABLE office are working hard with the Ministry of Health to understand the full implications of the changes.

Here are a few of the key things members should know:

- **Regulations will take effect March 31,2008 at that time indoor smoking will be banned in all public places in British Columbia.**
 - Licensed establishments with Designated Smoking Rooms (DSR) will have their floor plans and licence amended, at no charge, by the Liquor Control and Licensing Branch to remove their DSR. The old DSR will be treated like all other areas of the licensed establishment.

- **Smoking will be permitted on patios as long as it is not fully or substantially enclosed.**
 - Fully or substantially enclosed will be defined as has a roof or covering and more than 50% of the wall space enclosed by any material that does not permit air to flow through it easily. (for more information please see: http://www.healthservices.gov.bc.ca/tobctrl/tcrc_pg4.html, the government will be adding additional information and examples on how to calculate patio area in the coming days).

- **There will be a 3m buffer zone from all doorways, windows or air intakes.**
 - There is an exemption to the buffer zone for patios as long as the doorway between the public place and the patio is closed except when used for entering and exiting, and windows or air intakes are closed.

- Tobacco may still be sold and displayed in areas where it is not clearly visible from the outside of the establishment and may not be seen or accessed by minors.
 - You must not advertise or promote the use of tobacco or a particular tobacco brand in your pub or LRS. This includes signs, videos and clothing.



- As a manager, owner or lessee, you have a legal responsibility to prevent people from smoking in your establishment. You are not held responsible if you can demonstrate that you have taken reasonable steps to prevent this from occurring.
- It is also important to remember that many local governments have more restrictive laws in place. Please check with your local government before making any changes to your premises.

Please watch for additional updates from the ABLE office as we have time to understand the real impact of these changes on our businesses. If you have specific questions, please let the ABLE office know so we can share the answers with all members.

Additional and specific information is available by clicking on the following links.

Specific information for hospitality sector businesses is available at:

http://www.healthservices.gov.bc.ca/tobctrl/tcrc_pg4.html

The full tobacco regulation is available at:

<http://www.healthservices.gov.bc.ca/tobctrl/pdf/TCregOIC.pdf>

The *Tobacco Sales Act* is available online at:

http://www.leg.bc.ca/38th3rd/3rd_read/gov10-3.htm

The BC Government New Release is available at:

http://www2.news.gov.bc.ca/news_releases_2005-2009/2007HEALTH0142-001528.htm

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