
STATUTORY INSTRUMENTS

2007 No. 923

PUBLIC HEALTH, ENGLAND

The Smoke-free (Signs) Regulations 2007

<i>Made</i>	- - - -	<i>19th March 2007</i>
<i>Laid before Parliament</i>		<i>23rd March 2007</i>
<i>Coming into force</i>	- -	<i>1st July 2007</i>

The Secretary of State for Health, in exercise of the powers in sections 6(2), (3) and (4) and 79(3) of the Health Act 2006(1), makes the following Regulations:—

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Smoke-free (Signs) Regulations 2007 and shall come into force on 1st July 2007.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

“A5 size” means an area of any shape which is equal in area to the size A5 in the A series of paper sizes defined in BS EN ISO 216: 2001(2);

“the Act” means the Health Act 2006;

“entrance” means an entrance for use by persons;

“no-smoking symbol” means a symbol which consists solely of a graphic representation of a single burning cigarette enclosed in a red circle of at least 70 millimetres in diameter with a red bar across it;

“smoke-free premises” means all public places and workplaces which are smoke-free by virtue of section 2 or 4 of the Act, other than those that are exempt by virtue of regulations made under section 3 of the Act; and

“smoke-free vehicle” means a vehicle which is smoke-free by virtue of section 5 of the Act.

No-smoking signs in premises

2.—(1) Except where paragraphs (3) and (4) apply, at each entrance to smoke-free premises there shall be displayed in a prominent position at least one no-smoking sign which—

(1) 2006 c.28. As to the meaning of “appropriate national authority” see section 82(1).

(2) Copies of BS EN ISO 216: 2001 can be obtained from the British Standards Institute, 389 Chiswick High Road, London W4 4AL. Their website address is <http://www.bsi-global.com>

- (a) is at least A5 size;
 - (b) displays the no-smoking symbol; and
 - (c) contains, in characters that can be easily read by persons using the entrance, the words—
“No smoking. It is against the law to smoke in these premises”.
- (2) For the words required by sub-paragraph (c) of paragraph (1) there may be substituted words which differ only in that for “these premises” there are substituted words which refer to the particular smoke-free premises in which a sign is displayed (such as “this hotel”).
- (3) This paragraph applies to an entrance which is—
- (a) an entrance to smoke-free premises from other smoke-free premises; or
 - (b) an entrance solely for persons to their place of work where that place is in premises which have another entrance at which there is displayed in a prominent position a sign which complies with paragraphs (1) and (2).
- (4) Where paragraph (3) applies, a no-smoking sign which displays only the no-smoking symbol may be displayed in a prominent position at the entrance instead of a no-smoking sign which complies with paragraphs (1) and (2).

No-smoking signs in vehicles

3.—(1) Any person with management responsibilities for a smoke-free vehicle shall be under a duty corresponding to that in section 6(1) of the Act to ensure that at least one no-smoking sign is displayed in a prominent position in each compartment of his vehicle.

- (2) In paragraph (1)—
- “compartment” includes each part of a vehicle which—
- (a) is constructed or adapted to accommodate persons; and
 - (b) is, or may from time to time be, wholly or partly covered by a roof;
- “no-smoking sign” means a sign which displays the no-smoking symbol; and
- “roof” includes any fixed or moveable structure or device which is capable of covering all or part of a compartment, including any canvas, fabric or other covering, but where a vehicle is engaged in conveying persons, it does not include any fixed or moveable structure or device which is completely stowed away so that it does not cover all or any part of a compartment.

Signed by authority of the Secretary of State

19th March 2007

Caroline Flint
Minister of State for Public Health
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under Chapter 1 of Part 1 of the Health Act 2006 and they contain requirements which relate to the display of no-smoking signs in smoke-free premises and vehicles in England. They were notified in draft to the European Commission in accordance with the Technical Standards Directive [98/34/EC](#) as amended by Directive [98/48/EC](#) (OJ L. 204, 21.7.1998, p.37 and OJ L. 217, 5.8.1998, p.18).

Regulation 2 contains requirements for no-smoking signs in smoke-free premises. Paragraphs (1) and (2) require a no-smoking sign which consists of the no-smoking symbol and words which state that it is against the law to smoke in the premises. That sign is required at all entrances to smoke-free premises except those at which the no-smoking symbol alone may be displayed under paragraphs (3) and (4). The exception applies to entrances to smoke-free premises from other smoke-free premises and to secondary entrances to smoke-free premises which are used only by persons who work in them. The words “no-smoking symbol” are defined in regulation 1(2).

Regulation 3 contains requirements for no-smoking signs in vehicles. By paragraph (1) any person with management responsibilities for a smoke-free vehicle must display a no-smoking sign in each compartment of his vehicle. Paragraph (2) defines “compartment” to include each part of a vehicle used to accommodate persons which has a roof; “no-smoking sign” as a sign which displays the no-smoking symbol and “roof” to include retractable roofs, except for fully stowed retractable roofs on vehicles which are engaged in conveying people.

A Regulatory Impact Assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies can be obtained from the Smokefree Legislation Team, Room 712, Department of Health, Wellington House, 133-135 Waterloo Road, London SE1 8UG.