
STATUTORY INSTRUMENTS

2006 No. 2957

The Smoking (Northern Ireland) Order 2006

Smoke-free premises, etc

Smoke-free premises **N.I.**

3.—(1) Premises are smoke-free if they are open to the public; but unless the premises also fall within paragraph (2), they are smoke-free only when open to the public.

(2) Premises are smoke-free if they are used as a place of work—

- (a) by more than one person (even if the persons who work there do so at different times, or only intermittently), or
- (b) where members of the public might attend for the purpose of seeking or receiving goods or services from the person or persons working there (even if members of the public are not always present).

They are smoke-free all the time.

(3) If only part of the premises is open to the public or (as the case may be) used as a place of work mentioned in paragraph (2), the premises are smoke-free only to that extent.

(4) In any case, premises are smoke-free only in those areas which are enclosed or substantially enclosed.

(5) Regulations may specify what “enclosed” and “substantially enclosed” mean.

(6) Article 4 provides for some premises, or areas of premises, not to be smoke-free despite this Article.

(7) Premises are “open to the public” if the public or a section of the public has access to them, whether by invitation or not, and whether on payment or not.

Commencement Information

- II** [Art. 3](#) wholly in operation at 30.4.2007; [art. 3\(5\)](#) in operation at 15.1.2007 see [art. 1\(3\)](#); [art. 3](#) in operation at 30.4.2007 insofar as not already in operation by [S.R. 2007/118](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Smoking (Northern Ireland) Order 2006, Section 3.