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STATUTORY INSTRUMENTS

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**2007 No. 765**

**The Smoke-free (Exemptions and Vehicles) Regulations 2007**

**PART 2**

**Exemptions**

**Temporary exemption for mental health units**

**10.**—(1) A designated room for the use of patients aged 18 years or over in residential accommodation in a mental health unit is not smoke-free.

(2) In this regulation—

“designated room” means a bedroom or a room used only for smoking which—

- (a) has been designated in writing by the person in charge of the mental health unit as being a room in which smoking is permitted;
- (b) has a ceiling and, except for doors and windows, is completely enclosed on all sides by solid, floor-to-ceiling walls;
- (c) does not have a ventilation system that ventilates into any other part of the premises (except any other designated room);
- (d) is clearly marked as a room in which smoking is permitted; and
- (e) does not have any door that opens on to smoke-free premises which is not mechanically closed immediately after use; and

“mental health unit” means any establishment (or part of an establishment) maintained wholly or mainly for the reception and treatment of persons suffering from any form of mental disorder as defined in section 1(2) of the Mental Health Act 1983(1).

(3) Paragraphs (1) and (2) shall cease to have effect on 1st July 2008.

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**Commencement Information**

**II** Reg. 10 in force at 1.7.2007, see **reg. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Smoke-free (Exemptions and Vehicles) Regulations 2007, Section 10.