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## STATUTORY INSTRUMENTS

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# 2007 No. 765

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

### PART 2

#### Exemptions

##### Private accommodation

- 3.—(1) A private dwelling is not smoke-free except for any part of it which is—
- (a) used in common in relation to more than one set of premises (including premises so used in relation to any other private dwelling or dwellings); or
  - (b) used solely as a place of work (other than work that is excluded by paragraph (2)) by—
    - (i) more than one person who does not live in the dwelling;
    - (ii) a person who does not live in the dwelling and any person who does live in the dwelling; or
    - (iii) a person (whether he lives in the dwelling or not) who in the course of his work invites persons who do not live or work in the dwelling to attend the part of it which is used solely for work.
- (2) There is excluded from paragraph (1)(b) all work that is undertaken solely—
- (a) to provide personal care for a person living in the dwelling;
  - (b) to assist with the domestic work of the household in the dwelling;
  - (c) to maintain the structure or fabric of the dwelling; or
  - (d) to install, maintain or remove any service provided to the dwelling for the benefit of persons living in it.
- (3) In this regulation, “private dwelling” includes self-contained residential accommodation for temporary or holiday use and any garage, outhouse or other structure for the exclusive use of persons living in the dwelling.

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##### Commencement Information

**11** [Reg. 3](#) 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 3.