



# CCM G14I

## *Guidance Note*

### *Public Smoking Bans*

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## 1. Introduction

Smoking laws have banned smoking in all enclosed public spaces, including vehicles, to protect workers and the public from harmful effects of second-hand smoke.

## 2. Scope

This document provides guidance on how this law affects and is implemented on all CENVE projects, offices and vehicles.

## 3. Key Definitions

### 3.1. "No Smoking Premises"

Premises which are wholly or substantially enclosed and:

- a. To which the public or a section of the public has access
- b. Which are being used wholly or mainly as a place of work by persons who are employees

### 3.2. "Wholly or Substantially Enclosed"

Any area with a ceiling or roof that, except for doors, windows and passageways, is either wholly enclosed (whether permanently or temporarily); or is enclosed but for an opening which is less than half of the area of its walls.

## 4. Summary of Restrictions on Smoking on Cenve Property

- 4.1. No Smoking is allowed in any CENVE workplace, except in specially designated smoking areas complying with the conditions outlined in section 5.4.
- 4.2. Smoking by staff, customers or visitors will not be allowed within any wholly or substantially enclosed premises.
- 4.3. Smoking is also prohibited in most vehicles used for business purposes.
- 4.4. If you use a car (your own or company car) for business purposes, it will be exempt

## 5. Cenve Required Actions

- 5.1. Clearly display the required 'No Smoking' signs in such a way as to make staff, workforce and visitors aware that they must comply with the smoking laws.
- 5.2. Identify any 'substantially open', designated smoking areas in consultation with the workforce via safety committees etc, to aid understanding of how these may be used.
- 5.3. Make necessary references to H&S plan, induction & rules to identify and manage smoking area(s)
- 5.4. Inform anyone smoking that they are committing an offence - request that they extinguish their smoking materials immediately.
- 5.5. Where persons refuse to comply, normal disciplinary measures should be instigated.

## 6. Signage

- 6.1. We must clearly display and maintain standard min. 160mm x 230mm 'No Smoking' signs in our premises, so that they can be seen and read by people within and approaching the premises. A5 repeater signs must be displayed to supplement these.
- 6.2. A4 Mandatory signage must be multi-lingual.
- 6.3. Vehicles must also prominently display a minimum 75mm dia. red 'no smoking' symbol.
- 6.4. Guidance on signage can be obtained from the Web sites below.



## 7. Permitted Smoking Areas

- 7.1. We are not required by law to provide smoking areas. However, where there is a risk that people will smoke illicitly on premises, it would be wise to consult the workforce to identify designated smoking areas. These must be substantially open so that at least 50% of the potential external wall area remains open to the elements.
- 7.2. Where an outdoor smoking area is not created, and staff and/or customers need to leave the premises to smoke, you should also provide external stubbing-out bins at entrances or exits to reduce fire risk and keep litter to a minimum.
- 7.3. You must consider the safety of individuals where, for example, the outdoor area is isolated or poorly lit. Your Safety Adviser may be able to advise you.
- 7.4. Many people assume proper ventilation can eliminate the health risks associated with passive smoking but ventilation systems only eliminate the smell and visibility of smoke not the toxic carcinogens. Ventilation is not an option.



## 8. Criminal Penalties

- 8.1. Failure to comply with the law is a criminal offence. Individuals may be fined a fixed penalty of QAR500 for smoking in no-smoking premises.
- 8.2. Managers or persons controlling any no-smoking premises could be fined QAR2,000 for:
  - 8.2.1. allowing others to smoke in no-smoking premises or
  - 8.2.2. failing to display warning notices in no-smoking premises

## 9. Smoking Vehicles

### 9.1. Vehicles used for business purposes

- 9.1.1. Light goods and heavy goods vehicles and public transportation vehicles (e.g. taxis, buses, trains and ferries) will be affected by the new law. Someone would be committing an offence smoking in these vehicles.

9.1.2. It is for employers and managers, however, to ensure that they are complying with law in terms of the display of no-smoking signs and ensuring that employees are aware of the legislation.

## 9.2. Drivers in their own company vehicle

9.2.1. Vehicles which one or more persons use for work are caught by the new law and must not smoke (unless they are company cars in which case please see below).

## 9.3. Company cars used for both business and private purposes

9.3.1. If you use a car (your own or a company car) for business purposes, there are unfortunately some regional variations to the definitions. Therefore, it has been decided that, in the pursuance of best practice, in all cars allocated to individual drivers which are being used to make business journeys must be smoke-free, unless the driver is traveling alone.

9.3.2. Any pool cars must be smoke free at all times.

## 9.4. Private cars used for business purposes

9.4.1. Cars being used to make business journeys must be smoke-free, unless the driver is traveling alone.

**10. Action where Persons Ignore the Ban**

**Action to consider if someone ignores the smoking ban**

We're confident that the majority of the people of Doha will respect the new law on smoking. However, it is important that you have a strategy for dealing with someone who decides to smoke in your smoke-free premises. The following chart sets out some steps for your consideration.

**Approach**

the person and draw attention to the 'No Smoking' signs. Politely ask them to stop smoking

**Advise**

the person that it's an offence for you (as owner, manager etc.) to let anyone smoke. You should also advise them that they too are committing an offence by smoking in a smoke-free establishment.

<p><b>If the person smoking is an employee and continues to smoke:</b></p>	<p><b>If the person smoking is a customer and continues to smoke:</b></p>
<p style="text-align: center;"><b>Explain</b></p> <p style="text-align: center;">that the purpose of the smoke-free law is to ensure that there's a safe working environment for all.</p> <p style="text-align: center;">If required, implement your disciplinary procedure for non-compliance with your workplace's smoke-free policy.</p>	<p style="text-align: center;"><b>Explain</b></p> <p style="text-align: center;">that staff will refuse to serve customer if they continue smoke.</p>
	<p style="text-align: center;"><b>Ask</b></p> <p style="text-align: center;">Them to leave the premises (and, where relevant, inform them where they can smoke).</p>
	<p style="text-align: center;">If they refuse to leave, implement the normal procedure for anti-social/illegal behavior in the premises.</p>

Maintain a record of all such incidents and outcomes.

In all cases where physical violence or intimidation is threatened or encounter, seek the assistance of the police.

## 11. Enforcement

### 11.1. Employer actions if someone smokes on their premises

11.1.1. You will be expected to take all reasonable measures, outlined above to ensure that the person stops smoking. If they refuse, implement your normal disciplinary measures. In all cases where physical violence or intimidation is threatened or encountered, seek police assistance.

### 11.2. Employee actions on observing someone smoking in the Workplace

11.2.1. They should draw it to the attention of the project / premises manager.

### 11.3. Enforcement Agencies

11.3.1. The Safety Manager has the power to enter all 'no-smoking premises' in order to establish that the smoke-free legislation is being enforced in accordance with the law.

11.3.2. The Safety Manager have powers to enter no-smoking premises in order to check whether an offence has taken place or is being committed. Officers of the council will, in general terms, have access to premises to which the public has access.

## 12. Stopping Smoking

### 12.1. NHS Support

12.1.1. A good source of information and advice regarding help and support are available from cessation services provided by the UK's National Health Service. Refer to the following link <http://www.nhs.uk/Livewell/smoking/Pages/NHS-stop-smoking-adviser.aspx>

### 12.2. Action on Smoking and Health (ASH)

12.2.1. This is a voluntary organisation which aims to raise awareness about tobacco and its effects on people's lives. They can provide - Factsheets; Stop smoking information; Advice on tobacco and smoking; Advice on policies in the workplace and Expert reports. They are contactable via their website <http://ash.org.uk/home/>

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