

Public Transport Smoke-Free Area Policy

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1	1 July 2019	Passenger Transport	First version
2	31 January 2023	Passenger Transport	Merge into new DIPL template. Updated smoking prohibited within bus stops and bus stations to include areas that are not enclosed or partially enclosed, other than footpaths that pass through bus stops. Removed Section 5 Further Information on Public Transport Areas and Boundaries. Removed Appendices A Smoke-free area boundary maps and added onto webpage.

Acronyms	Full form
NTG	Northern Territory Government
DIPL	Department of Infrastructure, Planning and Logistics

Definitions	
The following definitions are used in this document	
e-cigarette	Electronic cigarette (e-cigarette) is any device designed for vaping or to replicate in any way or producing an experience similar to the use of a tobacco product.
Environmental Tobacco Smoke	Environmental tobacco smoke is the combination of smoke emitted from the burning end of a cigarette or other tobacco product and the smoke exhaled by the smoker.
Public Transport Area	Any place that is used or is intended to be used by passengers boarding or alighting from public including but not limited to anywhere within bus stops and bus stations/interchanges including park and ride facilities, areas that are not enclosed or partially enclosed, other than footpaths that pass through bus stops.
Smoking	Includes all form of smoke or vapour inhalation, including by the use of e-cigarettes

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1. Introduction

The Department of Infrastructure, Planning and Logistics (the Department) is committed to providing a smoke-free public and school bus transport system in the Northern Territory.

The objective of this policy is to comply with the *Tobacco Control Act 2002*, the *Tobacco Control Regulations 2002* and *Public Transport (Passenger Safety) Act 2008* (the Act) in prohibiting smoking in Public Transport Areas, controlling exposure to environmental tobacco smoke through passive smoking and discouraging the uptake of smoking in the community.

For the purposes of this policy, smoking includes the use of e-cigarette products.

2. Background

Smoking tobacco causes death and disease, it is associated with an increased risk of a wide range of health conditions, including heart disease, diabetes, stroke, cancer, renal disease, eye disease and respiratory conditions such as asthma, emphysema and bronchitis. Exposure to environmental tobacco smoke or passive smoking is also a significant cause of illness and death in people of all ages. There are concerns that e-cigarette products, which replicate conventional tobacco products, encourage the uptake of smoking by children.

Territorians are entitled to access the public bus network without being exposed to passive smoke or the use of e-cigarettes.

3. Responsibilities

3.1. Department of Infrastructure, Planning and Logistics

The Department continues to discharge its duty of care and legislative responsibilities towards employees, contractors and passengers regarding active and passive smoking.

The Chief Executive has overall responsibility for ensuring that there are effective procedures in place to ensure all Public Transport Areas are smoke-free.

3.2. Employees

All employees, bus drivers and contractors working in public transport areas are prohibited from smoking in smoke-free public transport areas¹.

Northern Territory Government employees also have a duty of care to take reasonable action to minimise the effects of their acts on the health and safety of all persons at their place of work.

3.3. General public

All members of the public are prohibited from smoking in smoke-free public transport area¹.

¹ <https://nt.gov.au/smoke-free-public-transport-areas>

4. Smoking

It is acknowledged that the individual has the right to choose whether or not to smoke, providing this does not constitute a risk or imposition to others or contravene safety provisions or reduce the employee's productivity.

When smoking, please ensure you are not in any Public Transport area. Smoking is prohibited from anywhere within bus stops and bus interchanges including park and ride facilities, areas that are not enclosed or partially enclosed, other than footpaths that pass through bus stops. People seeking assistance to quit smoking please contact the national Quitline telephone number 137 848 or visit the Quit Now website at quitnow.gov.au.

5. Breach of this Policy

Smoking in a smoke-free area is an offence under section 14 of the Act and section 9 of the Tobacco Control Act 2002.

If you choose to smoke in a smoke-free area you are committing an offence.

Transit Officers have the power to issue an infringement notice under section 35 of the Act to any person found smoking anywhere within bus stops and bus interchanges including areas that are not enclosed or partially enclosed, other than footpaths that pass through bus stops.

Maximum penalty: 20 penalty units.

6. Relevant Legislation

- [Tobacco Control Act 2002](#)
- [Tobacco Control Regulations 2002](#)
- [Public Transport \(Passenger Safety\) Act 2008](#)
- [Work Health and Safety \(National Uniform Legislation\) Act 2011](#)

7. Feedback and Complaints

Customer feedback or complaints regarding the Public Transport Smoke-Free Policy may be made at dipl.nt.gov.au/contact/feedback, by phone on 8924 7666 or email Public Transport at public.transport@nt.gov.au.