



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 10 September 2018 and assented to by the President on 25 September 2018:—

### REPUBLIC OF SINGAPORE

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**No. 39 of 2018.**

I assent.



HALIMAH YACOB,  
*President.*  
25 September 2018.

An Act to amend the Smoking (Prohibition in Certain Places) Act  
(Chapter 310 of the 2002 Revised Edition).

Be it enacted by the President with the advice and consent of the  
Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Smoking (Prohibition in Certain Places) (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. Section 2 of the Smoking (Prohibition in Certain Places) Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “authorised officer”, the following definition:

““common property” has the meaning given by section 2(1) of the Building Maintenance and Strata Management Act (Cap. 30C) and includes limited common property (within the meaning given by that Act), if any;”;

(b) by deleting the definition of “manager” and substituting the following definitions:

““manager”, in relation to a specified place, means the occupier of the specified place, and where there is no occupier, the owner of the specified place;

“occupier” means —

(a) in relation to a specified place — the person in occupation of the specified place or having the charge, management or control of the specified place; and

(b) in relation to any part of any specified place, different parts of which are occupied by different persons — the person in occupation or having the charge, management or control of that part,

but does not include a lodger;”;

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- (c) by inserting, immediately after the definition of “operator”, the following definitions:

““owner”, in relation to any place, has the meaning given by section 2 of the Environmental Public Health Act;

“place” means any premises, structure or building, or any unenclosed area (including a road, pavement, wetland and any body of water), but not a vehicle, and includes part of a place;”;

- (d) by inserting, immediately after the definition of “public service vehicle”, the following definition:

““publicly accessible place” means any place to which the public or a section of the public has access as of right, or by virtue of express or implied permission with or without payment of a fee;” and

- (e) by deleting the definitions of “specified place” and “specified vehicle” and substituting the following definitions:

““smoking facility” means an area or a room in a specified place that is designated under section 3C(3) by the manager of the specified place or the Director-General as an area or a room within which smoking is permitted;

“specified place” has the meaning given by section 3A(3) and includes every place prescribed as a specified place under section 3A(1);

“specified vehicle” means a public service vehicle prescribed as a specified vehicle under section 3A(4), and includes any part of a specified vehicle;

“statutory body” means a body corporate established by or under a public Act for a public purpose.”.

### **Repeal and re-enactment of section 3 and new sections 3A to 3D**

3. Section 3 of the principal Act is repealed and the following sections substituted therefor:

#### **“No smoking in specified places and specified vehicles**

3.—(1) Subject to section 3B, a person must not smoke in a specified place or specified vehicle.

(2) A person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

#### **Specified places, specified vehicles and no-smoking zones**

3A.—(1) The Agency may, with the approval of the Minister, prescribe any of the following as a specified place:

- (a) any publicly accessible place;
- (b) any of the following that is not a publicly accessible place:
  - (i) any place owned, managed or occupied by the Government or a statutory body;
  - (ii) any common property of any residential premises or building;
  - (iii) any place used, or intended to be used, for a commercial or an industrial purpose, or for mixed purposes the predominant purpose of which is either a commercial or an industrial purpose, or any common property of such a place;
  - (iv) any recreational facility;
- (c) any ship, boat, air-cushioned vehicle or other similar craft used in navigation by water, however propelled or moved, for the carriage of passengers.

(2) The Agency may, with the approval of the Minister, prescribe an area in Singapore as a no-smoking zone.

(3) Every publicly accessible place —

(a) within an area prescribed under subsection (2) as a no-smoking zone; and

(b) not prescribed as a specified place under subsection (1),

is a specified place from the date the area is prescribed as a no-smoking zone.

(4) The Agency may, with the approval of the Minister, prescribe any particular public service vehicle or any class of public service vehicles as a specified vehicle or specified vehicles.

### **Exceptions to smoking prohibition**

**3B.**—(1) A person is permitted to smoke in a specified place only —

(a) when within a smoking facility in the specified place;  
or

(b) in such other circumstances, or under such conditions, as may be prescribed.

(2) A person is permitted to smoke in a specified vehicle only in such circumstances, or under such conditions, as may be prescribed.

### **Requirements for smoking facilities**

**3C.**—(1) The Agency may, with the approval of the Minister, prescribe the specified places in which a smoking facility may be located and the requirements for a smoking facility in such specified places.

(2) For the purposes of subsection (1), different requirements may be prescribed —

(a) in relation to different specified places;