

# **Prohibition on Smoking in Certain Places Bill**

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**Bill No: 19/1970**

***Read the first time: 7th May 1970***

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## **Prohibition on Smoking in Certain Places Bill**

### **Bill No. 19/1970**

*Read the first time on 7th May 1970.*

An Act to prohibit smoking in cinemas, theatres and specified buildings.

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 may be cited as the Prohibition on Smoking in Certain Places Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Interpretation**

2. In this Act, unless the context otherwise requires —

“cinema” means the auditorium of any building used for the exhibition of films to which members of the public are admitted upon payment of an admission fee, but does not include any part of the premises of any club, association, institution or other body in which films are exhibited, whether gratuitously or otherwise, for the benefit primarily of the members thereof;

“Commissioner” means the Commissioner of Public Health appointed under section 4 of the Environmental Public Health Act, 1968 (Act 32 of 1968), and includes a Deputy Commissioner of Public Health and an Assistant Commissioner of Public Health appointed under the said section;

“manager” in relation to —

- (a) a cinema or theatre includes an assistant manager, any person holding an appointment analogous to that of manager or assistant manager or any person who is responsible for the management of the cinema or theatre or is in charge or control thereof; and
- (b) a specified building includes the owner, occupier, lessee or person in charge or control thereof;

“public health auxiliary” has the same meaning as is assigned to that expression in section 2 of the Environmental Public Health Act, 1968 (Act 32 of 1968);

“smoking”, with its grammatical variations, means inhaling and expelling the

smoke of tobacco or other substance;

“specified building” means any building or part thereof which is the subject of a notification made under section 3 of this Act;

“theatre” means the auditorium of any building used for the performance or presentation of any stage play or any musical, singing or dancing show or recital or any competition, sporting contest, exhibition, variety act or other entertainment to which members of the public are admitted upon payment of an admission fee, but does not include any part of the premises of any club, association, institution or other body in which any of the same are performed or presented, whether gratuitously or otherwise, for the benefit primarily of the members thereof.

### **Minister may prohibit smoking in specified buildings**

3. The Minister may, by notification in the *Gazette* and subject to such conditions as he may think fit, specify any building or part thereof or class of buildings or parts thereof to which members of the public have access as being a place or places in which smoking shall not be permitted either permanently or for such period or periods as he may think fit.

### **Prohibition on smoking in cinemas, theatres and specified buildings**

4.—(1) Any person who smokes —

- (a) in any cinema or theatre at any time during which it is open to the public;  
or
- (b) in any specified building in contravention of any notification issued under section 3 of this Act,

shall be guilty of an offence under this Act and may be arrested without warrant by any police officer or public health auxiliary or by any public officer authorised in writing in that behalf by the Commissioner and taken before a Magistrate’s Court and shall be liable on conviction to a fine not exceeding five hundred dollars.

(2) Notwithstanding the provisions of subsection (1) of this section or of any other written law for the time being in force, any police officer, public health auxiliary or public officer who, having effected an arrest in accordance with the provisions of this section, is satisfied as to the identity, name and place of residence of the person arrested, may in his discretion instead of taking such person before a Court or to a police station serve upon such person a notice requiring such person to attend at the Court described at the hour and on the date specified in such notice and such notice shall be in such form as may be required under section 9 of this Act.

(3) For the purpose of satisfying himself as to the identity of the person arrested, such police officer, public health auxiliary or public officer may require the person arrested to furnish such evidence of identity as he may deem necessary.

(4) A duplicate copy of the notice referred to in subsection (2) of this section shall be prepared by the police officer, public health auxiliary or public officer, as the case may be, and by him, if so required by a Court, produced to such Court.

(5) On an accused person appearing before a Court in pursuance of such a notice, the Court shall take cognizance of the offence alleged and shall proceed as though he were produced before it in pursuance of subsection (1) of this section.

(6) If a person upon whom such a notice has been served as aforesaid fails to appear before a Court in accordance therewith, the Court shall thereupon issue a warrant for the arrest of such person.

(7) Upon a person arrested in pursuance of a warrant issued under subsection (6) of this section being produced before it, a Court shall proceed as though he were produced before it in pursuance of subsection (1) of this section and shall at the conclusion of such proceedings call upon him to show cause why he should not be punished for failing to attend in compliance with the notice served upon him and if cause be not shown may order him to pay such penalty not exceeding one thousand dollars as the Court thinks fit or may commit him to prison for a term not exceeding one month.

### **Notices prohibiting smoking to be displayed in cinemas, etc.**

**5.—**(1) The manager of every cinema, theatre and specified building —

- (a) shall cause to be displayed suitable and sufficient notices of an adequate size or sizes in English, Chinese, Malay and Tamil in conspicuous positions therein, stating that smoking is prohibited and the penalty provided therefor under this Act; and
- (b) shall, if so directed by the Commissioner, site such notices in such places, phrase them in such manner or cause them to be of such size, as the Commissioner may deem fit.

(2) Such manager may, in addition to such notices, adopt any means, method or device as he may think fit for bringing such prohibition and penalty to the attention of the audience, spectators and other persons concerned, as the case may be.

(3) For the purposes of subsection (1) of this section, a notice shall be deemed to be adequately phrased if it states “Smoking Strictly Prohibited. Penalty \$500”; but, subject to any direction that may be given by the Commissioner under paragraph (b) of the said subsection, nothing in this section shall be construed as precluding the use of other words, phrases or modes of expression if their purport is clear and in accordance with the