

WHAT YOU NEED TO DO TO COMPLY

From January 2004 the management of a school or early childhood centre must take all reasonably practicable steps to comply with the new requirements.

The following checklist will aid you in checking your compliance: ✓

- 1 Do you prominently display signs:
 - at every entrance to the premises?
 - at every outer entrance to every building?

- 2 Have you taken all reasonably practicable steps to ensure that the families of your students and other visitors know about the new requirements?

(For example, by talking to them directly or including a section in a newsletter.)

- 3 Have you taken all reasonably practicable steps to ensure that other users of your site know about the new requirements?

(For example, by including a smokefree reminder in any contract or lease entered into with those wishing to use, hire or manage facilities on your grounds.)

- 4 Have you thought about reasonably practicable steps to take if someone does smoke on site?
(For example, you may want to develop a simple complaints procedure or an action plan.)

The management of schools and early childhood centres may be fined up to \$4,000 for not complying with the Act.

FURTHER INFORMATION

This information is a guide only, and may not be accurate for all situations. It should not be used as a substitute for legal or other expert advice.

Other pamphlets relating to the changes to the Act will become available during 2004. These include information for workplaces, retailers and licensed premises.

For further information on tobacco, health and the Smoke-free Environments Act 1990 contact:

Ministry of Health

www.ndp.govt.nz/smokefreelaw.html

www.moh.govt.nz

www.healthed.govt.nz

The Public Health Service at your local District Health Board.

Public Health Service contact details:



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Changes to the Smoke-free Environments Act 1990



INFORMATION FOR

Schools and Early Childhood Centres

From 1 January 2004, changes to the Smoke-free Environments Act 1990 (the Act) will extend protections for children, young people and workers against exposure to second-hand smoke. These changes will mean that all school and early childhood centres will be 100 percent smokefree, inside and out, at all times.



The aim of the education provisions in the Act is to:

- prevent the exposure of children and young people to second-hand smoke
- prevent children and young people being influenced by seeing others smoke
- send a positive message about a smokefree/auahi kore lifestyle as the norm.

SCHOOLS AND EARLY CHILDHOOD CENTRES

THE NEW REQUIREMENTS

Smoking is prohibited at all times in all:

- schools (for example, all primary and secondary schools, kura, integrated schools, private schools and boarding schools)
- premises and related facilities used primarily or exclusively as an early childhood centre (for example, kindergartens, kohanga reo, play centres and crèche).

There are no exemptions for other activities that take place on the grounds of the school or early childhood centre outside normal hours

of operations. (For information on sites not used exclusively or primarily as an early childhood centre see the section below.)

WHAT YOU MUST DO TO COMPLY

The management of the school or centre is required to:

- take all reasonably practicable steps to ensure that no one smokes on the site of the school or centre at any time, on any day; and
- take all reasonably practicable steps to ensure that signs stating that smoking is forbidden at all times are placed at entrances to the site and buildings.

It is important to note that it is the failure to take these steps that will breach the new law, rather than the act of smoking itself.

There are no exemptions for staff or visitors to smoke inside or on school/centre grounds including after hours.

OTHER PREMISES

The occupier of premises that are used as or by an early childhood centre, but not used exclusively or primarily for that purpose, must:

- take all reasonably practicable steps to ensure that no one smokes on the premises when it is being used as a centre; and
- take all reasonably practicable steps to ensure that no one smokes in a place that may lead to smoke entering the area being used as a centre.

WHAT IS NOT COVERED?

The new smokefree requirements for educational facilities do not cover:

- private homes
- casual child-minding services
- private living quarters for on-site staff at boarding schools
- home-visit services
- foster homes
- tertiary institutions.

However, those that are workplaces will be covered by other provisions of the Act.