

SMOKING POLICY



APPROVED BY:

MR M NAKO
MUNICIPAL MANAGER

DATE: 23/06/2021

APPROVED BY:

CLLR JANDA
EXECUTIVE MAYOR

DATE: 23/06/2021

1. PURPOSE OF POLICY

- a) The purpose of the policy shall be to establish a framework within which the use of tobacco products inside the premises and vehicles of the municipality can be regulated.

2. OBJECTIVE OF POLICY

To ensure safety, health and environment of all users of the municipal facilities and surroundings.

3. SCOPE

This policy shall apply to all Councillors, officials and all other persons who enter or use any offices, vehicles or other facilities of the Municipality

4. POLICY DEFINITION

- a) "smoking" means the practice of inhaling the fumes from burning cigarettes or other forms of tobacco, known to be a causative factor in the development of several diseases, especially lung cancer.
- b) "tobacco product" means any product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, and including cigarette papers, tubes and filters.
- c) "public space" means any indoor, or enclosed or semi-enclosed area which is open to the public or any part of the public, and includes a workplace and a public conveyance as well as the area within five meters of any doorways or entrances to the public place, workplace or public conveyance.

5. LEGISLATIVE FRAMEWORK

- a) Constitution Act 108 of 1996
- b) Occupational Health and Safety Act
- c) Tobacco Products Amendment Act, (Act No 12 of 1999) and Government Notice R975, Notice relating to smoking of tobacco products in public places, dated 29 September 2021

6. POLICY PROCEDURE

6.1 General provisions

- a) The responsibility for the interpretation, application and evaluation of this policy shall be vested in Council and its employees by delegation.
- b) This policy shall remain the only valid policy of Council until such time as circumstances or statutory prescriptions necessitate amendment.
- c) This policy of Council shall establish specific smoking areas for Councillors, officials and members of the public in the facilities of Council.
- d) This policy shall furthermore enable Council to comply with all statutory prescriptions in respect of smoking in the workplace.
- e) It is Council policy that available smoking areas shall not exceed 25% of the total floor space of the workplace.
- f) All designated smoking areas shall be separated from the remainder of the workplace by solid partitioning and an access door on which the sign "SMOKING AREA" shall be displayed, in black lettering at least 2 cm high and 1,5 cm wide, on a white background.
- g) The ventilation of the smoking areas shall be such as to permit the air of the smoking area to be discharged directly to the outside by means of artificial and effective ventilation, and that no smoke shall be re-circulated to any other area in the workplace.
- h) The following message shall be displayed at all smoking areas in black lettering at least 2 cm high and cm wide: "THE SMOKING OF TOBACCO PRODUCTS IS DANGEROUS TO YOUR HEALTH, THE HEALTH OF CHILDREN AND PREGNANT OR BREAST-FEEDING WOMEN AND NON-SMOKERS. FOR ASSISTANCE TO STOP SMOKING, CALL (011) 720-3145."
- i) Notices and signs indicating areas where smoking is permitted and where it is prohibited shall be displayed permanently, and signs indicating that smoking is prohibited shall contain the following warning: "FAILURE TO COMPLY WITH THIS NOTICE SHALL RESULT IN PROSECUTION AND THE POSSIBLE IMPOSITION OF A FINE."
- j) Council recognises smokers' right to smoke during working hours, but makes a serious appeal to all employees not to permit productivity to suffer as result thereof.
- k) It is Council policy to subject any employee who disregards or abuses this policy to the adopted disciplinary procedures.
- l) It is Council policy that smoking areas shall not be utilised for any other functional purpose and that no member of personnel may be obliged to enter such areas.

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- m) Council Buildings (Owned, rented or on lease)
- n) Council buildings shall be deemed to be smoke-free buildings.
- o) Council Vehicles
- p) Smoking shall be prohibited on or in any vehicle that has been registered in Council's name or hired and leased by the Municipality

7. GENERAL POLICY PROVISIONS


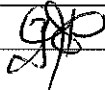

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8. PROCEDURES FOR IMPLEMENTING POLICY

The Municipality will monitor employee adherence to this policy and apply remedial actions in line with the outlined processes

9. POLICY GOVERNANCE

Policy Governance

Policy Title	Smoking Policy	
Policy Version		
<u>Role & Process</u>	<u>Responsible Individual Name and/or Date</u>	<u>Responsibility Accepted Signature</u>
Senior Manager Corporate Services	Ms N. Mahlathi - Nkuhlu	
Policy Custodian		
Policy Author		
LLF Consultation Date		
LLF Consultation Reference		
Council Approval Date	26/05/2021	
Council Approval Reference		
(UNIT) eg. Manager Human Resources	N. Hanise	
Policy Approved		
Policy Inception Date		
Review Start Date		
Review Completion Date		
Legislative References		
Policy Review "Triggers"		
Comments		