

IMPLEMENTATION OF SMOKE-FREE LAWS IN THE EU : MEASURES BY EU MEMBER STATE –MAY 2010

Country	Scope of current regulation	Entry into force	Future developments
1. Total protection in all enclosed workplaces and public places (smoking banned altogether)			
IE	<ul style="list-style-type: none"> Ban on smoking in all enclosed workplaces and public places, including bars and restaurants, and in public transport. Minimum exemptions on humanitarian grounds for hotel bedrooms, prisons, nursing homes and psychiatric hospitals. 	March 2004	
CY	<ul style="list-style-type: none"> Ban on smoking in all public buildings, educational institutions, hospitals, private or public home for elderly and disabled people, private clinics, cultural centres, hotels, premises where foodstuffs are prepared, sport centers, bars and restaurants. 	1 January 2010	
UK	<ul style="list-style-type: none"> Regulations adopted in the four parts of the UK differ slightly but as a rule smoking is banned in all enclosed or substantially enclosed workplaces and public places, including bars and restaurants, and in public transport and other vehicles used for work. Minimum exemptions for certain premises, including private residential premises, designated rooms in hotels or guest houses, designated rooms in specified categories of residential accommodation (such as long-stay care homes and hospices), designated rooms in off-shore installations, and specified categories of research and testing facilities. 	March 2006-July 2007 (depending on the region)	
2. Comprehensive protection (smoking allowed only in separate smoking rooms)			
FR	<ul style="list-style-type: none"> Ban on smoking in public transport, enclosed workplaces and public places, incl. hospitality venues, with the exception of separately ventilated smoking rooms in which no service is to be provided. The smoking room should not occupy more than 20% of the overall surface of the establishment and should not exceed 35 m². Smoking banned altogether in healthcare and educational facilities (incl. outdoor spaces of childcare and educational establishments) 	Jan. 2008 for hospitality venues Feb. 2007 for all other venues	
IT	<ul style="list-style-type: none"> Ban on smoking in all enclosed workplaces and public places (with the exception of separately ventilated smoking rooms) and in public transport. Emilia-Romagna Region has extended the smoking ban to open areas of healthcare facilities. 	January 2005	There is a discussion ongoing in the Italian Parliament on a new law that extends the smoking ban to outdoor area of hospitals and school. The law intends to create a Fund for the Prevention and Reduction of harm of smoking that would be financed mainly by resources arising from financial penalties imposed for violations of the smoking ban

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NL	<ul style="list-style-type: none"> Ban on smoking in public transport, enclosed workplaces and public places, incl. hospitality venues, with the exception of enclosed smoking rooms. There are no requirements for size or ventilation of the smoking rooms. Enforcement problems in bars which united forces to disobey the smoking ban. In May 2009, a Dutch appeals court ruled that small bars with no staff except their owners are exempt from the ban. The Supreme Court has recently found that the smoking ban is valid for all hospitality venues in the Netherlands, including small bars with no staff. The final judgement on this case is to be expected in June 2010. 	July 2008	
SI	<ul style="list-style-type: none"> Smoking banned in enclosed workplaces and public places, incl. hospitality venues, with the exception of separate ventilated smoking rooms which are reserved only for smoking (with no eating or drinking allowed inside) and should not occupy more than 20% of the overall surface. Smoking banned altogether in public transport and healthcare and educational facilities (incl. outdoor spaces of childcare and educational establishments). 	Aug. 2007	
FI	<ul style="list-style-type: none"> Smoking banned in enclosed public places, workplaces (in joint and public premises as well as in areas which have contacts with clients) and public transport except for designated smoking rooms (separate smoking room is not allowed in indoor premises primarily used by persons under the age of eighteen). In bars and restaurants, smoking is only allowed in separately ventilated smoking rooms where no food or drink is served. 	June 2007	<p>May 2010: Government Bill in the Parliament: Smoking banned</p> <ul style="list-style-type: none"> - in private cars when children present - at events organised outdoors (football matches, concerts, conventions etc). <p>It is estimated to enter into force at earliest in the autumn 2010 (Gov bill 180/2009)</p>
SE	<ul style="list-style-type: none"> Ban on smoking in indoor public places (except for separately ventilated smoking rooms), educational and healthcare facilities and public transport. In workplaces, employer is obliged to ensure that employees are not exposed to tobacco smoke against their will. In restaurants and bars, smoking is allowed only in separately ventilated smoking rooms where no food or drink can be served or consumed. 	June 2005	
3. Partial protection			
BE	<ul style="list-style-type: none"> Smoking is banned altogether in enclosed public places, workplaces and public transport. Smoking can be allowed in separate, ventilated smoking rooms intended exclusively for smoking. 	January 2006	The possibility for bars and pubs to install smoking zones

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	<ul style="list-style-type: none"> Partial ban in hospitality sector: in restaurants smoking allowed only in separately ventilated rooms where no eating allowed and whose surface cannot exceed ¼ of the total surface. Bars and pubs which serve no food can install smoking zones (maximum 50% of the surface reserved for smokers, except in establishments below 50m² where there is no surface limitation). 		will be suppressed at the latest on 1 st July 2014 and at the shortest on 1 st January 2012.
BG	<ul style="list-style-type: none"> Smoking in indoor workplaces and public places is only allowed in ventilated smoking rooms. Smoking is banned altogether in educational facilities, all forms of public transport, internet clubs, establishments for culture activities, places for producing and keeping food, shops, etc.. In hospitality venues of more than 60 seats, smoking is allowed in separated and ventilated halls. In smaller venues, smoking allowed in ventilated smoking area (maximum 50% of the surface reserved for smokers). 	January 2005	Full smoking ban in all indoor workplaces and public places including bars and restaurants as of June 2010. An amendment of the article 56 of the Health Act has been voted in May so as to allow bars and restaurants under 100m ² to decide to be smoke free or not.
CZ	<p>Smoking is banned in:</p> <ul style="list-style-type: none"> Most public places (enclosed places accessible to the public, facilities connected with public transport, enclosed entertainment and sport facilities etc), except for separated smoking rooms, In public transport, In all types of educational facilities, Inside healthcare facilities (exception – separated smoking rooms in closed psychiatric/ drug addiction units), In hospitality venues: bars, restaurants etc. except for separated spaces for smokers with appropriate signs and well arranged ventilation (however, there is no obligation for owners to make any practical separation of the smoking and non-smoking spaces). <p>In workplaces, restriction of smoking depends on type of workplace and/or decisions of employers; if there is no special restriction, employees who smoke are obliged to not expose non-smokers to tobacco smoke.</p>	January 2006	As of 1st July 2010 newly, owners in the hospitality sector will have to choose whether their hospitality venue is non-smoking, smoking or combined regime (with separated room for smokers). There will be also requirements on appropriate ventilation and signs.
DK	<ul style="list-style-type: none"> Smoking is banned at workplaces (except rooms which serve as a workplace for one person at a time), public transport and public places, incl. hospitality establishments, with the exception of smoking booths and rooms. Smoking booths should be equipped with air treatment system and are typically enclosed by a ceiling and three sidewalls, the fourth side being open. Smoking is permitted in small pubs with a bar-room floor space (excluding the bar) not exceeding 40 m² if the establishment does not serve food. 	August 2007	
DE	<ul style="list-style-type: none"> Employers are obliged to protect non-smokers against passive smoking at federal and Länder (state) level except for workplaces accessible to the public (i.e. primarily hospitality sector). Smoking is banned altogether in public transport on federal level. 	Aug. 2007 – 2009	There will be a referendum on the smoking ban in Bavaria in summer 2010.

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	<ul style="list-style-type: none"> • All Länder banned smoking in public places and healthcare and education facilities, some allowing for smoking rooms. • Following the ruling of the Federal Constitutional Court in July 2008, most Länder adopted bans on smoking in hospitality venues allowing for separate smoking rooms and exempting non-food establishments of less than 75 m² that do not serve food and do not allow people under 18. • In 2010 Saarland implemented a complete smoking ban for the hospitality sector. 		
EE	<ul style="list-style-type: none"> • Smoking is banned in workplaces and most public places with the exception of separately ventilated smoking rooms or smoking areas. • Smoking in bars and restaurants is only allowed in enclosed smoking rooms with separate ventilation systems where no food is served. • In educational and childcare facilities (incl. outdoor spaces), smoking is banned altogether except for the institutions of higher education in designated rooms or areas. 	September 2007	
EL	<ul style="list-style-type: none"> • Smoking is banned in workplaces and in all places used for provision of services (except for ventilated smoking rooms/spaces). • Smoking is banned in all forms of public transport. • In bars and restaurants, smoking will be allowed in ventilated smoking rooms/spaces. Hospitality venues smaller than 70m² can opt to be either smoking or non-smoking. 	July 2009	
ES	<ul style="list-style-type: none"> • Smoking is banned altogether in enclosed workplaces and most of the public places and public transport. It is only possible to create separately ventilated smoking rooms in airports. • In bars and restaurants larger than 100 m² as well as in clubs and gambling establishments, smoking is allowed only in separate smoking rooms (not bigger than 30% of the total surface). Smaller hospitality venues can opt to be either smoking or non-smoking. 	January. 2006	Draft amendment to current law being discussed. It aims at protecting minors and workers in the hospitality sector.
LU	<ul style="list-style-type: none"> • Smoking banned in enclosed public places, public transport, healthcare and education facilities. • In workplaces, the employer is obliged to take all necessary measures to protect employers against passive smoking. • Smoking banned in restaurants except for ventilated smoking rooms which do not occupy more than 25% of the total area. Partial smoking ban (during dining hours) in drinking establishments that also serve food. No restrictions for venues that do not serve food. 	September 2006	
HU	<ul style="list-style-type: none"> • Smoking in workplaces and most public places is allowed in designated areas. • In education facilities, most forms of public transport and most healthcare facilities, smoking is banned altogether. • Smoking in restaurants is allowed in designated areas, in non-food establishments – there are no restrictions. 	Nov. 1999 (with amendments in force since Sept 2006)	

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AT	<ul style="list-style-type: none"> • Ban on smoking in indoor public places with the exception of separate smoking rooms. • In workplaces, smoking banned (except for smoking rooms) if smokers and non-smokers cannot be given separate offices and in offices which have contact with clients. • Partial ban in hospitality sector. In venues larger than 80 m², smoking is allowed only in separate smoking rooms which do not occupy more than 50% of the surface. Businesses smaller than 50 m² can choose whether to be smoking or non-smoking while business between 50 and 80m² are able to allow smoking if they can prove that it is not possible to arrange for a separate smoking room. There are no smoking restrictions for one-room-establishments over 50m² that have declared officially before January 2009 that they will install a separate smoking room until July 2010. 	January 2009	Transitional period for hospitality venues to install smoking rooms until July 2010.
PL	<ul style="list-style-type: none"> • Smoking banned in rooms in work establishments and public places (except for smoking rooms) and in public transport (except for reserved cars in trains). • In hospitality venues that have more than one room, smoking is allowed in separate rooms. In one-room establishments, smoking is allowed in designated areas. 	January 2002	<p>New regulation being discussed. It will enter into force by the end of 2010 at the earliest. They introduce a smoking ban in: educational institutions areas, health care units' areas, indoor work places, public transportation (and bus/tram stops), indoor public places (culture and sport facilities, hospitality sector), areas designated for children recreation. Employers/owners may arrange special separate rooms for smoking. Restaurants, bars, cafes smaller than 100m² can be declared by owners as "for smokers" or "for non-smokers".</p>
PT	<ul style="list-style-type: none"> • In workplaces and most public places, smoking is banned, except for separate ventilated designated areas or smoking rooms ("areas which are either physically separated or equipped with ventilation or other mechanisms preventing smoke from spreading into adjacent areas"). • Smoking is banned altogether in means of public transport and education facilities, without any exception. • Bars and restaurants smaller than 100 m² can choose to ban or allow smoking, if certain ventilation conditions 	January 2008	

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	<p>are respected. In bars and restaurants larger than 100 m², smoking is banned, except for separate smoking rooms which meet certain ventilation conditions and do not occupy more than 40% of the overall surface or in designated areas equipped with ventilation or other mechanisms preventing smoke from spreading into adjacent areas which do not occupy more than 30% of the overall surface.</p>		
RO	<ul style="list-style-type: none"> • Smoking is banned in all enclosed workplaces and public places except for separately ventilated smoking rooms, which are reserved only for smoking. • In bars and restaurants, smoking rooms cannot exceed 50% of the total space designated for clients and must be ventilated and separated from the rest of the space. Venues smaller than 100 m² can choose to allow smoking. • Smoking is completely banned in healthcare facilities and public transport. 	January 2009	
SK	<ul style="list-style-type: none"> • Smoking is banned in workplaces in the presence of non-smokers. • Smoking is banned altogether in most public places (official buildings, cultural institutions, shops etc), healthcare and educations institutions and in public transport (except for reserved cars in trains). • In restaurants, smoking is allowed only in separate smoking rooms (which can not occupy more than 50% of the overall surface) as of September 2009. Establishments not serving food can decide themselves whether to be smoking or non-smoking. 	April 2009	