

Implementation of Smoke-free laws in the EU: Measures by Member State (Situation as of June 2009)

MS	Scope of current regulation	Entry into force	Further 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	
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. 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)			
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 creating 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.
MT	<ul style="list-style-type: none"> Ban on smoking in all enclosed workplaces and public places with the exception of enclosed smoking rooms. Total smoking ban in public transport, healthcare and educational facilities. 	April 2005 for bars and restaurants below 60 m ² April 2004 for all other venues	
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	

LV	<ul style="list-style-type: none"> • Ban on smoking in indoor workplaces, public buildings, structures and premises and healthcare facilities, except for specially designated rooms reserved exclusively for smoking. • Ban on smoking in hospitality venues, with the exception of separate rooms where services can be provided. • Total smoking ban in public transport stops and shelters; common areas of multi-apartment residential buildings and children's playgrounds. • In stadiums, outside cafes as well as parks, squares and bathing places, smoking is restricted to designated areas. 	June 2006	Total smoking ban (no smoking rooms) in public buildings, structures and premises and educational establishments as of July 2009 and in hospitality venues as of April 2010
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. • In bars and restaurants, smoking is only allowed in separately ventilated smoking rooms where no food or drink is served. 	June 2007	
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). 	August 2007	
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) 	January 2008 for hospitality venues February 2007 for all other venues	
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. This decision, however, is not formal until confirmed by the Supreme Court. 	July 2008	

3. Partial protection

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
BE	<ul style="list-style-type: none"> • Smoking is banned altogether in enclosed public places and public transport. • In workplaces, smoking can be allowed in separate, ventilated smoking rooms intended exclusively for smoking. • 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 have less than 33% of their sales from food servings can install smoking zones (maximum 50% of the surface reserved for smokers, except in establishments below 50m² where there is no surface limitation). 	January 2007 for hospitality venues January 2006 for all other venues	
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 and most of public transport. • 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. 	January 2005	Full smoking ban in all indoor workplaces and public places including bars and restaurants as of June 2010
CY	<ul style="list-style-type: none"> • Smoking in public places is allowed in designated smoking areas with adequate air expulsion system. • The same rules apply to hospitality venues – however establishments which have more than one room shall designate one room for those who wish to smoke. • In workplaces, employers should protect employees who do not smoke or do not wish to smoke in the workplace. • Smoking is banned completely in all public transport, incl. taxis, and private cars that carry children below 16 years old. 	2002	
CZ	<ul style="list-style-type: none"> • In most public places, including bars and restaurants, smoking is allowed in ventilated designated areas. • Smoking is banned altogether in education and healthcare facilities and public transport. • In workplaces, employees are obliged not to expose non-smokers to tobacco smoke. 	January 2006	

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. • 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 	August 2007 - July 2008	All Länder will have to make constitutionally correct laws (i.e. either ban smoking altogether in hospitality sector or grant exemptions for smaller venues in addition to the possibility of creating smoking rooms) by the end of 2009.
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	
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 in workplaces, public places, and healthcare facilities is allowed in designated smoking areas equipped with ventilation. • Smoking is banned completely in means of public transport. • There are no restrictions on smoking in the hospitality sector. 	September 2003	As of July 2009, smoking will be banned in all places used for provision of services (except for smoking rooms/spaces which will be defined in a separate ministerial decree) and in all forms of public transport. In bars and restaurants, smoking will be allowed in ventilated smoking rooms/spaces whose technical requirements will be specified in a separate ministerial decree. Hospitality venues smaller than 70m ² will be able to choose whether to be smoking or non-smoking
ES	<ul style="list-style-type: none"> • Smoking is banned altogether in enclosed workplaces, public transport and most of the public places. In some public places (e.g. entertainment premises, airports, bus and railway stations), it is possible to create separately ventilated smoking rooms. • 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. 	December 2005	

HU	<ul style="list-style-type: none"> • Smoking in workplaces and most public places smoking 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. 	November 1999	
LT	<ul style="list-style-type: none"> • Smoking banned altogether in public places. • In workplaces, special premises (places) for smoking may be set aside which have to meet the requirements for fitting out and operating set forth by the Government or an institution authorised by it. • Smoking banned in public transport, except for long-distance trains and aircrafts • In hospitality and leisure venues as well as in premises where sport events take place 	January 2007	
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	
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	
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 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. 	January 2008	
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	April 2009	Transitional period for restaurants to install smoking rooms until September 2009
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