

Policy on Smoking of Tobacco Products on Premises of the Mangaung Local Municipality

1. Terms of Reference

The Council of the Mangaung Local Municipality by this policy, gives effect to the national legislation regarding the smoking of tobacco products as is contained in the Tobacco Products Control Act 1993 (Act No 83 of 1993) and the "Notice Relating to Smoking of Tobacco Products in Public Places (No. R 975 of 29 September 2000) in terms of the Act.

2. Definitions

Public Place : Any indoor or enclosed area of a facility that is under the jurisdiction of the Council which is open to the public or any part of the public. This includes a work place and a public conveyance (i.e. any facility used for transportation).

Smoking Areas / Rooms : Specific areas in work places and public places (over which the Council has jurisdiction) where the primary business is the provision of entertainment, and that have been designated as smoke areas.

Work Place : Any indoor or enclosed area in which employees of the Council perform the duties of their employment; and includes any corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by such employees during the course of their employment.

3. Principles

The Council acknowledges that smoking of tobacco products pollutes the environment and is extremely injurious to the health of both smokers and non-smokers and will therefore protect the facilities of Council, employees of Council and the public who make use of the facilities of Council against the effects thereof, yet, also acknowledges the fact that smoking is a widely accepted practice amongst adults and that there are employees and members of the public who choose to smoke, which makes it inappropriate to ban smoking in all Council facilities completely.

Council will therefore

- In its dealing with employees and the public, focus on "the smoke" and not "the smoker";
- Designate certain smoking areas on council premises;
- Ensure that no person smokes anywhere other than in the designated smoking areas;
- Ensure that employees who do not want to be exposed to tobacco smoke are protected from tobacco smoke in the workplace;

- Acknowledge that employees may object to tobacco smoke in the workplace without retaliation of any kind;

4. Smoking Areas in Work Places / Public Places on Council Premises

4.1. In buildings where it is practicable that employees or public can leave the building to smoke, no “smoke rooms” will be designated. (To be determined by Departmental Heads in collaboration with employees.)

4.2. Facilities Where Smoking is not Permitted

Smoking will not be permitted in **any**

- Building as determined under, 4.1.
- Municipal Health Facilities
- Buildings of Municipal Sports Facilities
- Municipal Vehicles

4.3. Facilities Where Smoking is Conditionally Permitted

4.3.1. Areas in such facilities that are designated as “smoke areas / rooms will comply with the following prerequisites:

- Will not exceed 25% of the total floor area of the workplace / public area;
- Will be separated from the rest of the work place by a solid partition and an entrance door;
- A sign “SMOKING AREA” written in black letters, (at least 2 cm in height and 1.5 cm in breadth), on a white background, will be displayed on the door;
- The ventilation of the area will be such that the air is directly exhausted to the outside and is not re-circulated to any other area in the work place;
- Will display the following message (written in black letters 2 cm high and 1.5 cm in breadth on a white background) at the entrance of the smoking area :
“SMOKING OF TOBACCO PRODUCTS IS HARMFUL TO YOUR HEALTH AND TO THE HEALTH OF CHILDREN, PREGNANT OR BREASTFEEDING WOMEN AND NON-SMOKERS. FOR HELP TO QUIT PHONE (011) 720 31 45”

4.3.2. Notices and signs indicating areas where smoking is permitted and where not, will be displayed and the “NO SMOKING” signs will carry the warning “ANY PERSON WHO FAILS TO COMPLY WITH THIS NOTICE SHALL BE PROSECUTED AND MAY BE LIABLE TO A FINE”

4.4. Control and Procedures in the Case of Non-Compliance

4.4.1. Every employee and councillor of the Mangaung Local Council has the mandate and responsibility to ensure that co-employees, Councillors and the public adhere to the smoking policy and that smoking will not take place in any area other than the designated “smoke rooms” or out of doors.

4.4.2. Procedures in the Case of Non-Compliance

Still to be determined by the Executive Director Corporate Services and the Unions who should take the clause under “Offences and Penalties” (A 2.7) into consideration.

- 4.5. Dealing with smoker / non-smoker conflict and other “incentive” to promote quitting eg. Time off for non-smokers.

Still to be determined by the Executive Director Corporate Services and the Union.

- 4.6. Assistance to Support Smokers to Comply with the Policy

The Occupational Health Services of Council in collaboration with the Department of Human Resources will provide “Quitting Support Programmes” and counselling.

- 4.7. Advertisement of Tobacco Products on Posters / Billboards

No areas where advertisements can be displayed that are controlled by Council may be used for the advertisement of tobacco products.

- 4.8. Sale of Tobacco Products on Work / Entertainment Premises of Council is Prohibited.

DR A H HIEMSTRA
MEDICAL OFFICER OF HEALTH / STADSGENEESHEER
MB. ChB; DGG
RAMS NO: 1536265



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Genees8@burger.bfncouncil.co.za

2001/06/29

CMT Agende

Municipal Manager

Mr. Motale,

SMOKING TOBACCO PRODUCTS
Policy

Would you please sign the
letter as well as "the Policy" down
and have it distributed.

(I have also sent it per E-mail
as an attachment - if you need
to make any amendments to the
letter) -

Thank you.

A. Hiemstra

11/02/13

STAMP

MANGAUNG

LOCAL MUNICIPALITY/PLAASLIKE MUNISIPALITEIT/LEKGOTLA LA MOTSE



DEPARTMENT OF THE MEDICAL OFFICER OF HEALTH
DEPARTEMENT VAN DIE STADSGENEESHEER

Environmental Health Division



Mr J P Groenewald/tjvr

Tel: 8309

Ref: 19/1/2/1/13

26 June 2001

TO ALL DEPARTMENTAL AND DIVISIONAL HEADS

IMPLEMENTATION OF LEGISLATION PERTAINING TO SMOKING OF TOBACCO PRODUCTS:
MANGAUNG LOCAL

MANGAUNG
LOCAL MUNICIPALITY/PLAASLIKE
MUNISIPALITEIT/LEKGOTLA LA MOTSE

POLICY ON SMOKING OF TOBACCO PRODUCTS ON PREMISES
OF THE MANGAUNG LOCAL MUNICIPALITY

1 Terms of Reference

The Council of the Mangaung Local Municipality adopted this policy at a Council meeting held on Thursday, 24th May 2001.

This policy, gives effect to the national legislation regarding the smoking of tobacco products as is contained in the Tobacco products Control act 1993 (Act no 83 of 1993) and the "Notice Relating to Smoking of Tobacco Products in Public Places (No R 975 of 29 September 2000) in terms of the Act.

2 Definitions

Public place :

Any indoor or enclosed area of a facility that is under the jurisdiction of the Council which is open to the public or any part of the public. This includes a work place and a public conveyance (ie any facility used for transportation)

Smoking Areas/rooms

Specific areas in work places and public places (over which the Council has jurisdiction) where the primary business is the provision of entertainment, and that have been designated as smoke areas.

Work place:

Any indoor or enclosed area in which employees of the Council perform the duties of their employment; and includes any corridor, lobby, stairwell, elevator, cafeteria, washroom or other common area frequented by such employees during the course of their employment;

3 Principles

The Council acknowledges that smoking of tobacco products pollutes the environment and is extremely injurious to the health of both smokers and non-smokers and will therefore protect the facilities of Council, employees of Council and the public who make use of the facilities of Council against the effects there-of, yet, also acknowledges the fact that smoking is a widely accepted practice amongst adults and that there are employees and members of the public who choose to smoke, which makes it inappropriate to ban smoking in all Council facilities completely.

Council will therefor

- in it's dealing with employees and the public, focus on "the smoke" and not "the smoker";
- designate certain smoking areas on council premises;
- ensure that no person smokes any where other than in the designated smoking area;
- ensure that employees who do not want to be exposed to tobacco smoke are protected from tobacco smoke in the workplace ;
- acknowledge that employees may object to tobacco smoke in the workplace without retaliation of any kind;

4 Smoking areas in work places/ public places on Council premises

4.1 In buildings where it is practicable that employees or public can leave the building to smoke, no "smoke rooms" will be designated.(To be determined by Departmental Heads in collaboration with employees)

4.2 Facilities where smoking is not permitted:

Smoking will not be permitted in any

- Buildings as determined under 4.1
- Municipal health facilities
- Buildings of Municipal sports facilities
- Municipal vehicles

4.3 Facilities where smoking is conditionally permitted

4.3.1 Areas in such facilities that are designated as "smoke areas/rooms" will comply with the following prerequisites:

- will not exceed 25% of the total floor area of the workplace/public area;
- will be separated from the rest of the work place by a solid partition and an entrance door;
- a sign "SMOKING AREA" written in black letters, (at least 2 cm in height and 1.5 cm in breadth), on a white background, will be displayed on the door;
- the ventilation of the area will be such that the air is directly exhausted to the outside and is not re-circulated to any other area in the work place;
- will display the following message (written in black letter 2 cm height and 1,5 cm in breadth on a white background) at the entrance of the smoking area :

"SMOKING OF TOBACCO PRODUCTS IS HARMFUL TO YOUR HEALTH AND TO THE HEALTH OF CHILDREN, PREGNANT OR BREASTFEEDING WOMEN AND NON-SMOKERS. FOR HELP TO QUIT PHONE (011) 720 31 45"

4.3.2 Notices and signs indicating areas where smoking is permitted and where not, will be displayed and the "NO-SMOKING" signs will carry the warning "ANY PERSON WHO FAILS TO COMPLY WITH THIS NOTICE SHALL BE PROSECUTED AND MAY BE LIABLE TO A FINE"

4.4 Control and procedures in the case of non-compliance

4.4.1 Every employee and Councillor of the Mangaung Local Council has the mandate and responsibility to ensure that co-employees, Councillors and the public adhere to the smoking policy and that smoking will not take place in any area other than the designated "smoke rooms" or out of doors.

4.4.2 Any contravention/non-compliance with this policy by any employee of Council, will be dealt with in terms of the Conditions of Service of the Council.

4.5 Dealing with Smoker-Non smoker conflict and other "incentives" to promote quitting
To be dealt with by the Director Human resources and the Unions.



4.6 Assistance to support smokers to comply with the policy

The Occupational Health Services of Council in collaboration with the Department of human resources will provide "Quitting support programmes" and counselling.

4.7 Advertisement of tobacco products on posters/billboards

No areas where advertisements can be displayed that are controlled by Council may be used for the advertisement of tobacco products.

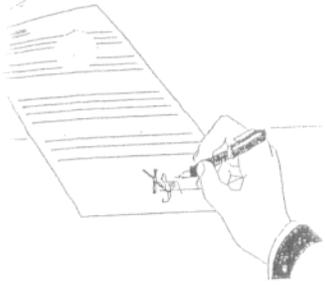
4.8 Sale of tobacco products on work/entertainment premises of Council is prohibited.

.....
MUNICIPAL MANAGER

.....
DATE

19/12/13 ; 7/2/4 CSecr

DEPARTMENT OF THE CITY SECRETARY



Mr LE Mahatanya/jt
Ext: 8178
Ref: Tobacco Control Act

MEC 12.2 - 2001/03/27
MLMC 25A6 - 2001/05/24

CITY SECRETARY
04 JUN 2001
2001-06-01
BLOEMFONTEIN

THE MEDICAL OFFICER OF HEALTH

IMPLEMENTATION OF LEGISLATION OF RE SMOKING OF TOBACCO PRODUCTS IN MUNICIPAL BUILDINGS

Your report dated March 26, 2001, refers.

The Mangaung Local Municipal Council at its meeting held on Thursday, May 24, 2001

"RESOLVED

- (a) that the recommendations as set out on page 9 of Annexure "A" (page 8020), be adopted by the Council to the effect that the policy as accepted and the decision taken by the former Bloemfontein Transitional Local Council, be applicable to all employees and municipal buildings and indoor workplaces of the Mangaung Local Municipality;
- (b) that "NO SMOKING" or similar signs be displayed without delay at all entrances to municipal buildings accessible to the public by the Housing Division in collaboration with other Departmental Heads and
- (c) that the Council's policy be brought to the attention of all employees and that Departmental Heads and supervisory personnel must give proper effect to the policy before July 1, 2001."

Kindly give effect to the above-mentioned resolution.


CITY SECRETARY

HEALTH DEPARTMENT
MANGAUNG LOCAL MUNICIPALITY
BLOEMFONTEIN
04 JUN 2001
MEDICAL OFFICER OF HEALTH
STYLSAARLECHER
GEZONDHEIDSDIENST