



THE STATUTES OF THE REPUBLIC OF SINGAPORE

SMOKING (PROHIBITION IN CERTAIN PLACES) ACT

(CHAPTER 310)

(Original Enactment: Act 6 of 1992)

REVISED EDITION 2002

(31st December 2002)

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 1/4/2005

Smoking (Prohibition in Certain Places) Act

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An Act to prohibit smoking in specified places and vehicles, and to provide for matters connected therewith.

[6th April 1992]

Short title

1. This Act may be cited as the Smoking (Prohibition in Certain Places) Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“Agency” means the National Environment Agency established under the National Environment Agency Act 2002 (Act 4 of 2002);

“authorised officer” means any person appointed by the Director-General of Public Health under section 3(2) of the Environmental Public Health Act (Cap. 95);

“Director-General” means the Director-General of Public Health appointed under section 3(1) of the Environmental Public Health Act;

“manager”, in relation to a specified building, includes any owner, occupier, lessee or person who is responsible for the management of the specified building or is in charge or control thereof, and includes an assistant manager or supervisor or any person holding an appointment analogous to that of manager, assistant manager or supervisor;

“operator”, in relation to a specified vehicle, means any owner, ticket or tour conductor, driver, ticket inspector or person who is in charge or control of the specified vehicle;

“public service vehicle” has the same meaning as in the Road Traffic Act (Cap. 276);

“residential premises or building” means any premises or building which is permitted to be used under the Planning Act (Cap. 232) or any other written law as a dwelling-house or which is lawfully so used;

“smoking”, with its grammatical variations, means inhaling and expelling the smoke of tobacco or any other substance and includes the holding of any cigar, cigarette, pipe or any other form of tobacco product which is alight or emitting smoke;

“specified place” means any premises or building or part thereof specified in a notification made under section 3;

“specified vehicle” means any public service vehicle or part thereof specified in a notification made under section 3.

[13/94; 4/2002]

Prohibition of smoking in specified places and vehicles

3.—(1) The Agency may, with the approval of the Minister, by notification in the *Gazette* and subject to such conditions as the Agency may think fit, specify —

- (a) any premises or building or such part thereof or any class of premises or buildings or such parts thereof —
 - (i) being used for commercial, industrial or recreational purposes; or
 - (ii) to which members of the public or a section of the public have or ordinarily would have access whether on payment of a fee or otherwise;
- (b) any common property or limited common property of any residential premises or building; or
- (c) any public service vehicle or part thereof or any class of public service vehicles or parts thereof,

[47/2004 wef 01/04/2005]

as being a place or places or a vehicle or vehicles in which smoking shall not be permitted either permanently or during such time or for such period or periods or under such circumstances as the Agency may, with the approval of the Minister, prescribe.

[4/2002]

(2) Any person who smokes in any specified place or specified vehicle in contravention of any notification made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[13/94]

Powers of police and authorised officers

4.—(1) Any person reasonably suspected of having committed an offence under this Act may be arrested without warrant by any police officer or authorised officer and produced before a District Court or a Magistrate's Court.

[4/2002]

(2) Notwithstanding any other written law, any police officer or authorised officer who, having effected an arrest in accordance with subsection (1), is satisfied as to the identity, name and place of residence of the person arrested may, instead of producing such person before a District Court or a Magistrate's Court or to a police station, serve upon such person a notice in such form as may be determined

under section 9 requiring the person to attend at such Court, at such time and on such date as may be specified in the notice.

[4/2002]

(3) For the purpose of satisfying himself as to the identity of the person arrested, the police officer or authorised officer may require such evidence of identity as he may consider necessary to be furnished by that person.

[4/2002]

(4) A duplicate of the notice served under subsection (2) shall be prepared by the police officer or authorised officer and produced by him to the District Court or the Magistrate's Court if so required by the Court.

[4/2002]

(5) Where an accused person appears before a District Court or a Magistrate's Court in accordance with a notice served under subsection (2), the Court shall take cognizance of the offence alleged and shall proceed as though he were produced before it under subsection (1).

(6) If a person upon whom a notice has been served under subsection (2) fails to appear before a District Court or a Magistrate's Court in accordance with the notice, the Court may issue a warrant for the arrest of that person.

(7) Where a person arrested under a warrant issued under subsection (6) is produced before a District Court or a Magistrate's Court, the Court shall —

- (a) proceed as though he were produced before it under subsection (1); and
- (b) at the conclusion of such proceedings, call upon him to show cause why he should not be punished for failing to attend in compliance with the notice served under subsection (2),

and if due cause is not shown, the Court may order him to pay a penalty not exceeding \$1,000 or may commit him to prison for a term not exceeding one month.

Notices

5.—(1) The manager of every specified place and the operator of every specified vehicle shall —

- (a) cause to be displayed suitable and sufficient number of notices of an adequate size or sizes in conspicuous positions in the specified place or specified vehicle, as the case may be, stating to the effect that smoking is prohibited by law; and
- (b) if so directed by the Director-General, display such notices in such places, phrase them in such manner or cause them to be of such size, as the Director-General may consider fit.

[4/2002]

(2) In addition to such notices, the manager or operator may, subject to any direction that may be given by the Director-General under subsection (1)(b) adopt any means, method or device as he may think fit for bringing such prohibition to the attention of members of the public in any specified place or passengers in any specified vehicle.

[4/2002]

(3) A manager of any specified place or an operator of any specified vehicle who contravenes any of the provisions of subsection (1) or fails to comply with any directions given by the Director-General under that subsection shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[4/2002]

Duties of managers or operators of specified places and vehicles

6.—(1) The manager of any specified place or the operator of any specified vehicle shall inform any person who smokes in the specified place or specified vehicle in contravention of any notification made under section 3(1) —

- (a) to cease smoking immediately, indicating the penalty provided under section 3(2); and
- (b) if the person refuses, neglects or fails to cease smoking, he shall request the person to leave the specified place or specified vehicle immediately.

(2) If any such person refuses to leave the specified place or specified vehicle or to cease smoking, the manager or operator referred to in subsection (1) shall —

- (a) seek the assistance of any police officer or authorised officer; and
- (b) render such assistance as is reasonable to such officer to deal with that person in the manner provided in section 4.

[4/2002]

(3) Where any person smokes in a specified place in contravention of any notification made under section 3(1), any other person who is aggrieved by the smoking of that person may lodge a complaint to the manager of the specified place and it shall be the duty of the manager of the specified place —

- (a) to take all reasonable steps to investigate into the complaint; and
- (b) if the complaint is found to be true, to take action in accordance with subsection (1) or (2) against the person smoking in the specified place.

[13/94]

(4) If the manager of any specified place or the operator of any specified vehicle, as the case may be, fails or neglects to comply with the provisions of —

- (a) subsection (1) or (2) in relation to any person whom he knows or ought reasonably to know is smoking in the specified place or specified vehicle; or
- (b) subsection (3) in relation to any complaint received by him that a person is smoking in the specified place,

in contravention of any notification made under section 3(1), that manager or operator shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$2,000.

[13/94]

(5) For the purposes of subsection (4), a manager of a specified place shall be presumed, until the contrary is proved, to have the knowledge referred to in that subsection where a person who is under

his charge or supervision and who is employed at the specified place knows that a person is smoking in that place in contravention of a notification made under section 3(1).

(6) Any person who hinders, obstructs, threatens, abuses, molests or assaults any manager or operator in the performance of his duties under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

(7) No manager of a specified place or operator of a specified vehicle shall be liable to repay or refund any fee or other consideration paid by a person for the purpose of gaining admission into a specified place or of transportation where that person has been informed to leave the specified place or specified vehicle in accordance with subsection (1).

(8) Nothing in this section shall affect the liability of any person for an offence under section 3(2).

Composition of offences

7.—(1) The Director-General may, in his discretion, compound such offence under this Act as may be prescribed as being an offence which may be compounded by collecting from the person reasonably suspected of having committed the offence, a sum not exceeding \$500.

[4/2002]

(2) On payment of such sum, no further proceedings shall be taken against the person in respect of that offence.

(3) The Agency may, with the approval of the Minister, make regulations prescribing the offences which may be compounded and the method and procedure by which such offences may be compounded under this section.

[4/2002]

Fees, etc., payable to Agency

8. All fees, charges, composition fines and moneys collected under this Act shall be paid to the Agency.

[7A
[4/2002]

Forms

9. The Director-General may design and utilise such forms as he may think fit for any of the purposes of this Act, and may require any person to complete any of the forms for any such purpose.

[8
[4/2002]

Exemption

10. The Agency may, subject to the general or special directions of the Minister, either permanently or for such period as the Agency thinks fit, exempt any specified place or specified vehicle from all or any of the provisions of this Act.

[9
[4/2002]

Regulations

11.—(1) The Agency may, with the approval of the Minister, make such regulations as seem to the Agency necessary or expedient for the purpose of carrying out the provisions of this Act.

[4/2002]

(2) All such regulations shall be presented to Parliament as soon as possible after publication in the *Gazette*.

[10

Transitional provision

12. Any licence, permit, document, application, approval, permission, order, direction, ruling or notice issued, made, given or approved by the Commissioner of Public Health under any provision of this Act immediately before 1st July 2002* shall be deemed to have been issued, made, given or approved under the same provision by the Director-General.

[11
[4/2002]

*Date of commencement of the National Environment Agency Act 2002 (Act 4 of 2002).

LEGISLATIVE HISTORY
SMOKING (PROHIBITION IN CERTAIN PLACES) ACT
(CHAPTER 310)

This Legislative History is provided for the convenience of users of the Smoking (Prohibition in Certain Places) Act. It is not part of the Act.

1. Act 26 of 1970 — Prohibition on Smoking in Certain Places Act 1970

Date of First Reading : 7 May 1970
(Bill No. 19/1970 published on
11 May 1970)

Date of Second and Third Readings : 21 May 1970

Date of commencement : 1 October 1970

**2. 1970 Revised Edition — Prohibition on Smoking in Certain Places Act
(Chapter 165)**

Date of operation : 31 May 1971

**3. Act 57 of 1973 — Prohibition on Smoking in Certain Places (Amendment)
Act 1973**

Date of First Reading : 28 August 1973
(Bill No. 49/1973 published on
31 August 1973)

Date of Second and Third Readings : 30 November 1973

Date of commencement : 1 March 1974

**4. 1985 Revised Edition — Smoking (Prohibition in Certain Places) Act
(Chapter 310)**

Date of operation : 30 March 1987

5. Act 6 1992 — Smoking (Prohibition in Certain Places) Act 1992

Date of First Reading : 15 January 1992
(Bill No. 8/92 published on
16 January 1992)

Date of Second and Third Readings : 27 February 1992

Date of commencement : 6 April 1992

**6. 1993 Revised Edition — Smoking (Prohibition in Certain Places) Act
(Chapter 310)**

Date of operation : 15 March 1993

7. Act 13 of 1994 — Smoking (Prohibition in Certain Places) (Amendment) Act 1994

Date of First Reading	:	25 July 1994 (Bill No. 23/94 published on 29 July 1994)
Date of Second and Third Readings	:	26 August 1994
Date of commencement	:	1 October 1994

8. 1998 Revised Edition — Smoking (Prohibition in Certain Places) Act (Chapter 310)

Date of operation	:	15 December 1998
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9. Act 4 of 2002 — National Environment Agency Act 2002
(Consequential amendments made by)

Date of First Reading	:	3 May 2002 (Bill No. 13/2002 published on 4 May 2002)
Date of Second and Third Readings	:	24 May 2002
Date of commencement	:	1 July 2002

10. 2002 Revised Edition — Smoking (Prohibition in Certain Places) Act

Date of operation	:	31 December 2002
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11. Act 47 of 2004 — Building Maintenance and Strata Management Act 2004

(Consequential amendments made to Act by)

Date of First Reading	:	6 February 2004 (Bill No. 6/2004 published on 7 February 2004)
Date of Second and Third Readings	:	19 October 2004
Date of commencement	:	1 April 2005

COMPARATIVE TABLE
SMOKING (PROHIBITION IN CERTAIN PLACES) ACT
(CHAPTER 310)

The following provisions in the 1998 Revised Edition of the Smoking (Prohibition in Certain Places) Act have been renumbered by the Law Revision Commissioners in this 2002 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Smoking (Prohibition in Certain Places) Act.

2002 Ed.	1998 Ed.
8	7A
9	8
10	9
11	10
12	11

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On 19/10/2017, you requested the version in force on 19/10/2017 incorporating all amendments published on or before 19/10/2017. The closest version currently available is that of 01/05/2000.

Smoking (Prohibition in Certain Places) Act

([Chapter 310, Section 7\(3\)](#))

Smoking (Prohibition in Certain Places) (Composition of Offences) Regulations

Rg 1

REVISED EDITION 1999

(1st July 1999)

[15th March 1995]

Citation

1. [These Regulations](#) may be cited as the Smoking (Prohibition in Certain Places) (Composition of Offences) Regulations.

Composition of offences

2. The offences referred to under sections 3(2), 5(3) and 6(4) of the [Act](#) may be compounded by the Commissioner of Public Health in accordance with [section 7\(3\) of the Act](#).

[G.N. No. S 102/95]

Amount offered to compound

3. The amount offered to be compounded set out in [the Schedule](#) shall be payable to the Commissioner of Public Health.

[[S 218/2000](#) wef 01/05/2000]

Singapore Statutes Online - 1

statutes.agc.gov.sg/aol/search/display/view.w3p;ident=b6fc3415-b144-4959-8430-e9434c795d51;page=0;query=DocId%3Ae859f763-790d-4bf0-880a-fed0274f70ec%20Depth%3A0%20Status%3Ainforce;rec=0

2. In this Notification, unless the context otherwise requires —

“amusement centre” means any premises where jackpot machines, pin-ball machines, video game machines or any other similar game machines are provided for entertainment;

“child care centre” means a child care centre licensed under the Child Care Centres Act (Cap. 37A);
[S 538/2017 wef 01/10/2017]

“cinema” means the auditorium of any building used for the exhibition of films;

“clinical laboratory” means any premises used or intended to be used for any type of examination of the human body or of any matter derived therefrom for the purpose of providing information for the diagnosis, prevention or treatment of any disease or for the assessment of the health of any person, or for ascertaining the cause of death or the result of any medical or surgical treatment given to any person;
[S 621/2005 wef 01/10/2005]

“exercise area” means any premises designated for any physical exercise or sport;
[S 706/2008 wef 01/01/2009]

“factory” means any premises used for any industrial or manufacturing purpose, and includes any repair or processing workshop and any warehouse, as well as any corridor, lobby, stairwell, washroom or other common area in such premises to which persons employed therein have access, but does not include a construction site within the meaning of the [Environmental Protection and Management Act \(Cap. 94A\)](#);
[S 706/2008 wef 01/01/2009]

“food establishment” has the same meaning as in the [Environmental Public Health Act \(Cap. 95\)](#);

“foodshop” means any food establishment licensed as a foodshop under [section 32 of the Environmental Public Health Act \(Cap. 95\)](#);

“Government school” means a school organised and conducted directly by the Government;
[S 538/2017 wef 01/10/2017]

“Government-aided school” means a school (not being an independent school) which —

(a)

is established by a person other than the Government; and

(b)

is conducted by a committee of management in respect of a grant-in-aid from the Government to defray the costs and expenses of conducting the school;

[S 538/2017 wef 01/10/2017]

“hawker centre” means any place or premises or part thereof (other than a foodshop), with multiple stalls, used for the sale, or for the preparation or manufacture for sale, or for the storage or packing for sale, of food whether cooked or not, intended for human consumption;
[S 345/2006 wef 01/07/2006]

“healthcare establishment” means any premises used or intended to be used for the provision of any service, or for carrying out any practice or procedure, that is related to the diagnosis, treatment or care of any person suffering from any disease, injury or disability;
[S 621/2005 wef 01/10/2005]

“hospital” means any premises used or intended to be used for the reception, lodging, treatment and care of persons who require medical treatment or suffer from any sickness, disease, injury or infirmity, including the grounds of the hospital, any car park within those grounds and any area within the compound of the hospital;

[S 2/2013 wef 15/01/2013]

“independent school” means a school which is specified in —

(a)

any order made under section 3(1) of the School Boards (Incorporation) Act (Cap. 284A); or

(b)

Part I of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations (Cap. 87A, Rg 1);

[S 538/2017 wef 01/10/2017]

“Institute of Technical Education” means the Institute of Technical Education, Singapore established under section 3 of the Institute of Technical Education Act (Cap. 141A);

[S 538/2017 wef 01/10/2017]

“Jurong Town Corporation” means the Jurong Town Corporation established under section 3 of the Jurong Town Corporation Act (Cap. 150);

[S 259/2016 wef 01/06/2016]

“kindergarten” means a kindergarten registered under section 23 of the Education Act (Cap. 87);

[S 538/2017 wef 01/10/2017]

“language centre” means —

(a)

any educational institution organised and conducted directly by the Government and bearing the name “Ministry of Education Language Centre”; or

(b)

the Umar Pulavar Tamil Language Centre;

[S 538/2017 wef 01/10/2017]

“market” has the same meaning as in the [Environmental Public Health Act \(Cap. 95\)](#) but excludes any outdoor market;

[S 706/2008 wef 01/01/2009]

“maternity home” means any premises used or intended to be used for the reception of pregnant women or of women immediately after child-birth;

“medical clinic” means any premises used or intended to be used by a medical practitioner registered under the [Medical Registration Act \(Cap. 174\)](#), a dentist registered under the [Dentists Act \(Cap. 76\)](#) or any other person —

(a)

for the diagnosis or treatment of persons suffering from or believed to be suffering from any disease, injury or disability of mind or body; or

(b)

for curing or alleviating any abnormal condition of the human body by the application of any apparatus, equipment, instrument or device requiring the use of electricity, heat or light;

“nursing home” means any premises, other than a maternity home, used or intended to be used for the reception of, and the provision of nursing for, persons suffering or convalescing from any sickness, injury or infirmity;

“office premises” means any room or premises or part thereof the sole or principal use of which is for the carrying out of any administrative or clerical or other related work;

“pavilion” means any covered area that is used or intended to be used principally for holding funerals, weddings, gatherings, meetings or other communal or social functions;

[S 2/2013 wef 15/01/2013]

“polytechnic” means a polytechnic established by a public Act;

[S 538/2017 wef 01/10/2017]

“private education” has the same meaning as in the Private Education Act (Cap. 247A);

[S 538/2017 wef 01/10/2017]

“privately-funded school” means a school specified in the Private Education (Excluded Private Education Institutions) Notification 2010 (G.N. No. S 249/2010);

[S 538/2017 wef 01/10/2017]

“public service vehicle” has the same meaning as in [section 100 of the Road Traffic Act \(Cap. 276\)](#);

“public swimming pool” means any swimming pool licensed under [section 63 of the Environmental Public Health Act \(Cap. 95\)](#) or any swimming pool owned by the Government;

[S 621/2005 wef 01/10/2005]

“Public Utilities Board” means the Public Utilities Board continued under section 3 of the Public Utilities Act (Cap. 261);

[S 259/2016 wef 01/06/2016]

“refreshment area” means any premises, or any part thereof, of a foodshop, hawker centre, discotheque, pub, bar, lounge or night club where food or drinks may be consumed by members of the public or a section of the public;

[S 268/2007 wef 01/07/2007]

“registered private education (degree) institution” means a registered private education institution that provides any education leading to the award of a degree;

[S 538/2017 wef 01/10/2017]

“registered private education institution” has the same meaning as in the Private Education Act;

[S 538/2017 wef 01/10/2017]

“registered private education (non-degree) institution” means a registered private education institution that does not provide any education leading to the award of a degree;

[S 538/2017 wef 01/10/2017]

“relevant premises”, in relation to a registered private education (degree) institution or a registered private education (non-degree) institution, means any building, enclosure, ground, open-air space or other place used by the registered private education (degree) institution or the registered private education (non-degree) institution, as the case may be, in connection with the provision of private education;

[S 538/2017 wef 01/10/2017]

“relevant school” means any of the following:

(a)

a Government school;

(b)

a Government-aided school;

(c)

an independent school;

(d)

the Institute of Technical Education;

(e)

a language centre;

(f)

a polytechnic;

(g)

a privately-funded school;

(h)

a special education school;

(i)

a specified educational institution;

(j)

the Mountbatten Vocational School;

(k)

the Alsagoff Arabic School;

(l)

the Madrasah Al-Arabiah Al-Islamiah;

(m)

the Madrasah Al-Irsyad Al-Islamiah;

(n)

the Madrasah Aljunied Al-Islamiah;

(o)

the Madrasah Al-Ma'arif Al-Islamiah;

(p)

the Madrasah Wak Tanjong Al-Islamiah;

[S 538/2017 wef 01/10/2017]

[Deleted by S 538/2017 wef 01/10/2017]

“special education school” means a school which is set out in Part II of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations;

[S 538/2017 wef 01/10/2017]

“specified educational institution” means an educational institution set out in Part III of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations;

[S 538/2017 wef 01/10/2017]

“theatre” means the auditorium of any building used for the performance or presentation of any stage play, musical, song or dance show, recital, competition, sporting contest, exhibition, variety act or other entertainment;

“Town Council” means any Town Council established under section 4 of the Town Councils Act (Cap. 329A);

[S 259/2016 wef 01/06/2016]

“uncovered area” means an area that does not have a ceiling, roof or other structure or device (whether fixed or moveable) that prevents or impedes upward airflow;

[S 706/2008 wef 01/01/2009]

“university” means —

(a)

the Nanyang Technological University;

(b)

the National University of Singapore;

(c)

the Singapore Management University;

(d)

the Singapore University of Technology and Design;

(e)

the Singapore Institute of Technology; or

(f)

the Singapore University of Social Sciences;

[S 538/2017 wef 01/10/2017]

“ventilation intake” means an air duct or other opening in any building through which outdoor fresh air is drawn into the building, whether mechanically or otherwise, to replace the air within the building.

[S 706/2008 wef 01/01/2009]