

# Smoking and Vaping Ban Policy



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## Policy

The purpose of this policy is to support public health objectives and ensure there is no smoking or use of e-cigarettes (commonly known as 'vaping') on school premises (buildings and grounds), within 4 metres of school entrances or at school sanctioned events held off-premises.

## Summary

- In Victoria, a person must not smoke or use e-cigarettes on school premises or within 4 metres of any pedestrian access point to school premises.
- Inhaling vapour from an e-cigarette is known as 'vaping'. When using an e-cigarette, the user inhales and exhales the vapour, which can look similar to smoking a cigarette. The prohibition on smoking includes the use of e-cigarettes (vaping) and applies whether or not the e-cigarette contains nicotine.
- Cigarettes and e-cigarettes cannot be sold to people under 18 years of age.
- It is a legislative requirement that schools display suitable 'No Smoking' signs at all pedestrian access points (entrances) to the school grounds. The legislation defines smoking to include the use of an e-cigarette.
- In Victoria, a person must not smoke in a motor vehicle if a person under 18 years is also present in the motor vehicle.
- Smoking and vaping are also not permitted during school events and excursions held off school premises.

## Details

A person must not smoke cigarettes including e-cigarettes (regardless of whether they contain nicotine) within school premises and within 4 metres of any pedestrian access to school premises. Smoking in these places is a fineable offence.

Schools must display 'No Smoking' signs and enforce the ban to prohibit smoking and vaping on school premises (including buildings and grounds) and within 4 metres of school entrances.

The smoking and vaping ban applies to:

- anyone present on school premises during and outside of school hours including students, teachers, contractors, parents or carers or the wider community, such as sporting groups
- all activities that take place on school premises including pre-schools, kindergartens, outside school hours care, cultural, sporting or recreational activities and school fetes

Schools must:

- display 'No Smoking' signs at each pedestrian access point to the school premises.
- display the signs in such a prominent position at each entrance to make it clear that the area at or within 4 metres of that entrance is a 'no smoking' area

Principals or their delegate should:

- ensure that the whole school community is aware that smoking and vaping are not permitted on school premises and within 4 metres of school entrances. This may be achieved through the signage required at each entrance. If further measures are required (due to non-compliance), notices in the school newsletter, on the school website and direct communication with specific staff, students, parents/carers or visitors who are non-compliant may be required.
- remind the school community that smoking and vaping are not permitted at school-sanctioned events held off school premises
- where relevant remind staff that a person must not smoke in a motor vehicle if a person under 18 years is also present in the motor vehicle
- if necessary, arrange [training with Quit Victoria](#) on how to support staff and young people to quit

### **Electronic cigarettes (e-cigarettes), commonly known as ‘vaping’**

In Victoria, it is illegal for any person aged 18 or over to obtain, possess or use nicotine e-cigarettes, or e-cigarette cartridges containing nicotine, or nicotine liquids for use in a vaporiser, without a prescription. It is illegal to sell e-cigarettes to, or buy e-cigarettes for, any person aged under 18 years whether or not the e-cigarettes contain nicotine. Whilst it is not unlawful for a person to possess or use e-cigarettes that do not contain nicotine, it is unlawful to use them on school premises or within 4 metres of a school entrance.

### **Definitions**

#### **Electronic cigarettes**

Electronic cigarettes (e-cigarettes) are electronic devices which heat and vaporise liquids that may or may not contain nicotine or flavouring agents. The vapour is inhaled, simulating the act of smoking. Use of e-cigarettes is commonly referred to as ‘vaping’.

#### Relevant legislation

- [Drugs, Poisons and Controlled Substances Act 1981 \(Vic\)](#)
- [Education and Training Reform Act 2006 \(Vic\)](#)
- [Education and Training Reform Regulations 2017 \(Vic\)](#)
- [Tobacco Act 1987 \(Vic\)](#)

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