Frequently Asked Questions

What is the reason for the ban on smoking in enclosed public places?

The law aims to protect workers and the general public from the harmful effects of
passive smoking. It is estimated that exposure to second-hand smoke increases the
risk of lung cancer in adult non-smokers by 24 per cent and heart disease in adult
non-smokers by 25 per cent. Passive smoking also causes respiratory disease and asthma in non-smoking DGXOWVDQGFKLOGUHQ7KH8.6FLHQWL¿F&RPPLWWHHRQ7REDFFRDQG+HDOWKFRQFOXGHGLQWKDWVHFRQGKDQG smoke is a serious public health risk.

Will the ban affect my business premises?

Yes, if they are wholly or substantially enclosed

What is meant by “wholly enclosed” and “substantially enclosed”?

This relates to an area with a ceiling or roof that - except for doors, windows and passageways - is either wholly enclosed (whether permanently or temporarily); or is enclosed apart from an opening which is less than half the area of its walls.

My workplace has designated or segregated areas for smoking. Isn’t this enough?

No. Only a complete ban on smoking in enclosed areas will reduce exposure to second-hand smoke. This means that the provision of smoking rooms inside workplaces will no longer be allowed.

My workplace is well-ventilated. Doesn’t that provide protection from passive smoking?

No. There is no safe level of exposure to second-hand smoke. Ventilation systems improve comfort by removing the smell and visibility of the smoke. They do not eliminate toxic carcinogens (compounds that cause cancer) from the air.

I have a very small business with only a couple of employees who smoke. Will this law still apply to me?

Yes, if your business is wholly or substantially enclosed.

Will the new no smoking act affect private clubs, e.g. rugby clubs, snooker clubs, golf clubs, working men’s clubs etc?

<HV7KHVHSUHPLVHVDUHH[SOLFLWO\FRYHUHGE\WKH+HDOWK$FWDQGFDQQRWEHH[HPSWHG

I run a pub where the majority of customers smoke. How can I be expected to make them stop? - it will cause a disturbance.

The vast majority of the population are law-abiding citizens and we expect high levels of compliance. This has been the case in Ireland and Scotland. If you take all reasonable measures to prevent smoking and the customer will not extinguish his or her cigarette/ cigar/ pipe or leave the premises, you will not be liable under the legislation. If after you have taken these steps the person still refuses to stop smoking, you will need to implement your normal procedure for anti-social/ illegal behaviour in the premises. In any case where physical violence or intimidation is threatened, seek the assistance of the police.