



a world class African city

**E**  
Region E

City of Johannesburg  
Environmental Health

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**VIA EMAIL**

**30 OCTOBER 2018**

**MELROSE ARCH**  
**RE: SMOKING POLICY CONTRAVENTIONS**

This serve to acknowledge a meeting with The Centre Management of Melrose Arch with regards to numerous complaints received by this department about the tenants contravening the Tobacco legislation.

You are therefore referred:

The following laws are included in Act 23 of 2007 and Act 63 of 2008 with regards to smoking legislation in South Africa.

No person may smoke any tobacco product in any indoor, enclosed or partially enclosed areas such as covered patios, verandas, balconies, walkways, parking areas, etc. which is open to the public, and includes a workplace and public conveyance.

Fines: Owner of a restaurant, pub, bar & employer in respect of a workplace: R50, 000.00 maximum

Individual smoker: R500.00

The owner of or person in control of a public place or employer in respect of a workplace, shall display the prescribed signs and shall make the prescribed public announcements in order to inform any person who enters or who is in or on such place or area of any prohibition on smoking.

Fine: Owner of a restaurant, pub, bar and employer in respect of a workplace: R50, 000.00 maximum

It is not a condition of employment, expressly or implied, that any employee is required to work in any portion of the workplace where smoking is permitted; and

Employees are not required to sign any indemnity for working in any portion of the workplace where smoking is permitted

Fine: Not exceeding R100, 000.00

The minister of Health may prohibit the smoking of any tobacco product in any prescribed outdoor public place, or such portion of an outdoor public place as may be prescribed, where persons are likely to congregate within close proximity of one another or where smoking may pose a fire or other hazard.

The owner or person in charge of any business shall ensure that no person under the age of 18 years in his or her employ or under his or her control, as the case may be, shall sell or offer to sell any tobacco product on the business premises.  
Fine not exceeding R100, 000.00

**OLWETU AROSI**  
*ENVIRONMENTAL HEALTH PRACTITIONER*

**ENQUIRIES**  
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