

Smoke-free University Policy

Section 1 - Introduction

(1) The University is committed to providing a healthy and safe work environment for members of the University community. In compliance with the [Tobacco Control Act 2002](#) (NT) and [Tobacco Control Regulations 2002](#) (NT) the University has designated certain areas within the University premises as smoke-free. Designated smoke-free areas are in place across all University premises to:

- a. reduce harm to the health and well-being of the entire University community by reducing people's exposure to environmental tobacco smoke; and
- b. discourage people from smoking.

(2) Wellness programs are available to all staff members and support is offered to the entire University community to assist people to stop smoking.

Section 2 - Statement of Authority

(3) The authority behind this policy is the [Charles Darwin University Act 2003](#) part 3, section 15.

Section 3 - Compliance

(4) This is a compliance requirement under the [Tobacco Control Act 2002](#).

Section 4 - Intent

(5) The intent of this document is to define areas on University premises that are strictly smoke-free in compliance with government legislation. It is also to inform all members of the University community about how to access the wellness programs and support mechanisms that are in place and are designed to encourage people to improve their health by ceasing to smoke.

Section 5 - Relevant Definitions

(6) In the context of this document:

- a. Air-conditioning inlet area means an area within three (3) metres of an air-conditioning inlet (whether indoors or outdoors) through which air is directed into a smoke-free area;
- b. Enclosed workplace area means a place, or part of a place, of employment that has a ceiling or roof and (except for doorways and passageways) is completely or substantially enclosed by walls, windows, blinds, curtains or other objects;
- c. Entrance area means an area within two (2) metres of a door, window or other opening that opens into or onto an enclosed workplace area;

- d. Outdoor eating and drinking area means an area that is used or intended to be used by members of the public for the consumption of food or drink provided by an on-site food service; whilst food or drink is available (or being consumed) from an on-site food service;
- e. Outdoor Public Venue means an outdoor public venue that is used or intended to be used by the public, or part of such venue, if that place or part has fixed seating (e.g. the Soundshell and Student Square areas on Casuarina campus);
- f. Public transport area means a place (including but not limited to a bus stop) that is used/intended to be used by passengers boarding or alighting from public transport and at which a shelter may be provided for those passengers;
- g. Shared accommodation means a boarding-house, including any house, lodging house, hostel, residential flat, motel, tent, caravan, building, structure, whether permanent or otherwise, or any part thereof, in which three (3) or more persons are lodged or boarded;
- h. Smoke-free areas means areas where government legislation strictly prohibits the smoking of tobacco or other smoking products;
- i. Staff member means anyone employed by the University and includes all continuing, fixed-term, casual, adjunct or honorary staff or those holding University offices or who are a member of a University committee;
- j. University community means officials and individuals carrying out University business. This includes, but is not limited to, all staff members, researchers, peer reviewers, students, volunteers, consultants, agents and contractors;
- k. University premises includes all buildings, grounds, vehicles and vessels owned, leased or otherwise under the control of the University;
- l. Wellness Programs means any University supported or delivered program that aims to improve the health and wellbeing of University staff, students and/or authorised visitors and includes for example, such programs as “Quit Smoking” and yearly influenza vaccinations; and
- m. Workplace means an area or place, vehicle or vessel whether on land or water, where a staff member performs his or her duties on behalf of the University and includes laboratories, workshops, training rooms, on-site recreational facilities, on field trips, in teaching facilities, in offices, in rural environments and any area of industry operations.

Section 6 - Policy

(7) The University supports staff members (and their immediate family) who wish to quit smoking, by providing access to programs and support through the Wellness Programs from the Office of People and Capability, specifically the University’s Employee Assistance Program providers.

(8) The University seeks to encourage all members of its community to improve their health and wellbeing and has in place services to support and guide people who want to quit smoking, to appropriate assistance. Information can be sought through the Equity branch of the Student Supports or the Office of Human Resource Services.

(9) All members of the University community must be aware of and note that disregarding designated smoke-free areas, where smoking is strictly prohibited, is potentially a serious matter and may incur a fine and which may be addressed under the applicable staff and student disciplinary procedures; reference to law enforcement agencies; or otherwise as may be applicable in the particular circumstances.

(10) Designated smoke-free areas include:

- a. any enclosed workplace or enclosed public area;
- b. any outdoor public venue;
- c. any food service area or restaurant (an area during any period where food is prepared or served and this

includes any area where liquor may be sold for consumption on or at the premises);

- d. any entrance area;
- e. any educational facility;
- f. any thoroughfares or under covered-walkway areas;
- g. any outdoor eating and drinking areas;
- h. any public transport areas such as a bus stop or any location used by passengers boarding or alighting public transport, located on campus;
- i. any residential facility or shared accommodation such as on-campus accommodation, shop, childcare facility or office;
- j. any University owned or leased vehicle, or vessel;
- k. in or near any area used for the storage of flammable substances such as LPG storage facilities, as specified by relevant signage; and
- l. any other voluntarily declared area the Vice-Chancellor may designate as smoke-free from time to time.

(11) Furthermore, the following areas are also to be smoke-free:

- a. Within three (3) metres of an air-conditioning inlet area (whether indoors or outdoors); and
- b. within two (2) metres of any entrance area.

(12) The University will display appropriate “No Smoking” or “Smoke-free Area” signage, as required, to inform members of the University community of these smoke-free areas.

(13) Legislation does not require that enclosed workplace areas, libraries, art galleries, theatres and entrance areas display “No Smoking” signage. However, the University may choose to display signage in these areas. If signage is not displayed in these areas, the areas still remain as smoke-free areas.

(14) Note: if the person smoking in a designated smoke-free area was taking part in a bona fide theatrical performance and stopped smoking as soon as it was no longer necessary for the purposes of the performance then they are exempt from this policy.

Section 7 - Non-Compliance

(15) Non-compliance with Governance Documents is considered a breach of the [Code of Conduct – Staff](#) or the [Code of Conduct – Students](#), as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the [Charles Darwin University and Union Enterprise Agreement 2022](#) and the [Code of Conduct – Students](#).

(16) Complaints may be raised in accordance with the [Code of Conduct – Staff](#) and [Code of Conduct - Students](#).

(17) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the [Fraud and Corruption Control Policy](#) and [Whistleblower Reporting \(Improper Conduct\) Procedure](#).

Status and Details

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| Status | Historic |
| Effective Date | 15th January 2022 |
| Review Date | 15th January 2022 |
| Approval Authority | Vice-Chancellor |
| Approval Date | 21st December 2021 |
| Expiry Date | 31st December 2023 |
| Responsible Executive | Scott Bowman Vice-Chancellor |
| Implementation Officer | Peta Preo Director People and Culture |
| Enquiries Contact | Peta Preo Director People and Culture |