

Australian Capital Territory

Work Safety (ACT Code of Practice for Smoke Free Workplaces) Code of Practice 2010

Disallowable instrument DI2010 - 230

made under the

Work Safety Act 2008, section 18 (Codes of Practice)

Explanatory Statement

Section 18 of the *Work Safety Act 2008* provides that the Minister may approve a code of practice to provide practical guidance about the Act. Section 18(2) provides that before approving a proposed code of practice, the Minister must consult with the ACT Work Safety Council. At its 3rd meeting on 18 June 2010, the Council noted that approval would be sought to have the ACT Smoke Free Workplaces Code of Practice notified as a Code of Practice in the ACT.

The Code provides guidance to achieving a smoke-free workplace and reducing the risk of illness to workers who may be exposed to environmental tobacco smoke at a workplace. It sets out practical guidance on where persons who do smoke be able to do so, without increasing the risk to non-smokers. The Code does not attempt to change the habits of persons who do smoke.

An employer, an owner of premises used as a workplace, a designer, manufacturer or supplier of places of work or of items for use in a workplace, a health and safety representative, an OHS professional, a worker or anyone else interested in reducing the likelihood of workers' exposure to tobacco smoke, will implement the recommended procedures for managing the risks that arise from performing manual tasks at work.

The objects of the Code are to assist in reducing the incidence and severity of illness or undue discomfort to workers.

Following the Code could produce benefits that include-

- improved business performance, efficiency and productivity;
- fewer workers' compensation claims, which may lead to lower premiums;

- faster and easier return to work for workers who do sustain an injury;
- fewer absences from work, and less disruption;
- retention of skilled workers; and
- a safe workplace with a positive safety culture.

This instrument takes effect on 1 October 2010.

An approval under section 18 (1) is a disallowable instrument.