



2 What the law says about smoking at work

- The Health and Safety at Work etc Act 1974 is the most important single piece of legislation affecting health and safety at work issues.

This Act (section 2:1) states that it shall be the duty of every employer to ensure...

"so far as is reasonably practicable, the health, safety and welfare at work of all employees".

Section 2 (2) e also places a duty on employers to provide a working environment for employees that is ...

"safe without risks to health and adequate as regards facilities and arrangements for their welfare at work".

- The Workplace (Health & Safety & Welfare) Regulations 1992 regulation 25 - requires employers to have in place **"suitable arrangements that protect non-smokers from the risks of second hand smoke".**

Other relevant legislation includes:

- The Safety & Health at Work of Pregnant Workers Directive 1992
- Under the Public Health White Paper 2004 entitled "Choosing Health" it stipulates that by the end of 2006 all Government departments and the NHS will be smoke free.
- Under the Health Act 2006 a Smoke Free Legislation is to come in to force ending smoking in all workplaces and enclosed public places by summer 2007.

